STATE OF ILLINOIS

HOUSE JOURNAL

HOUSE OF REPRESENTATIVES

NINETY-FIFTH GENERAL ASSEMBLY

43RD LEGISLATIVE DAY

THURSDAY, APRIL 26, 2007

11:00 O'CLOCK A.M.

NO. 43

HOUSE OF REPRESENTATIVES
Daily Journal Index
43rd Legislative Day

The House met pursuant to adjournment.
Representative Lyons in the chair.
Prayer by Reverend Joe Meyer, who is the Pastor of First Assembly of God in Marengo, IL.
Representative Cole led the House in the Pledge of Allegiance.
By direction of the Speaker, a roll call was taken to ascertain the attendance of Members, as follows:
116 present. (ROLL CALL 1)

By unanimous consent, Representatives Kosel and Patterson were excused from attendance.

REQUEST TO BE SHOWN ON QUORUM

Having been absent when the Quorum Roll Call for Attendance was taken, this is to advise you that I, Representative Kosel, should be recorded as present at the hour of 3:25 o'clock p.m.

TEMPORARY COMMITTEE ASSIGNMENTS

Representative Poe replaced Representative Eddy in the Committee on Higher Education on April 26, 2007.

Representative Smith replaced Representative May in the Committee on Electric Utility Oversight on April 26, 2007.

Representative Harris replaced Representative Patterson in the Committee on Electric Utility Oversight on April 26, 2007.

Representative Flider replaced Representative Granberg in the Committee on Electric Utility Oversight on April 26, 2007.

Representative Nekritz replaced Representative Patterson in the Committee on Electric Utility Oversight on April 26, 2007.

Representative Black replaced Representative Winters in the Committee on Electric Utility Oversight on April 26, 2007.

Representative Ramey replaced Representative Kosel in the Committee on Elementary & Secondary Education on April 26, 2007.

Representative D'Amico replaced Representative Gordon in the Committee on Judiciary II - Criminal Law on April 26, 2007.

Representative Ramey replaced Representative Biggins in the Committee on Computer Technology on April 26, 2007.

Representative Schmitz replaced Representative Hassert in the Committee on Rules on April 26, 2007.

Representative Lyons replaced Representative Hannig in the Committee on Rules on April 26, 2007.

Representative Washington replaced Representative Richard Bradley in the Committee on Environment & Energy on April 26, 2007.

Representative Mautino replaced Representative Verschoore in the Committee on Environment & Energy on April 26, 2007.

Representative Harris replaced Representative Smith in the Committee on Environment & Energy on April 26, 2007.

REPORT FROM THE COMMITTEE ON RULES

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 818.
Amendment No. 3 to HOUSE BILL 1021.
Amendment No. 1 to HOUSE BILL 1050.
Amendment No. 3 to HOUSE BILL 1294.
Amendment No. 1 to HOUSE BILL 1496.
Amendment No. 2 to HOUSE BILL 1557.
Amendment No. 2 to HOUSE BILL 1622.
Amendment No. 2 to HOUSE BILL 1728.
Amendment No. 1 to HOUSE BILL 1797.
Amendment No. 3 to HOUSE BILL 2734.
Amendment No. 2 to HOUSE BILL 3649.

LEGISLATIVE MEASURES ASSIGNED TO COMMITTEE:

Computer Technology: HOUSE AMENDMENT No. 1 to HOUSE BILL 314.
Consumer Protection: HOUSE AMENDMENT No. 1 to HOUSE BILL 2071.
Electric Utility Oversight: HOUSE AMENDMENT No. 2 to HOUSE BILL 1871.
Elementary & Secondary Education: HOUSE AMENDMENTS numbered 1 and 2 to HOUSE BILL 3170.
Executive: HOUSE AMENDMENT No. 1 to HOUSE BILL 3042; SENATE BILL 688.
Higher Education: HOUSE AMENDMENT No. 1 to HOUSE BILL 3279.
Human Services: HOUSE AMENDMENT No. 2 to HOUSE BILL 980; HOUSE AMENDMENT No. 1 to HOUSE BILL 2353.
Judiciary I - Civil Law: HOUSE AMENDMENT No. 1 to HOUSE BILL 3010.
Judiciary II - Criminal Law: HOUSE AMENDMENT No. 3 to HOUSE BILL 2749.
Local Government: HOUSE AMENDMENT No. 2 to HOUSE BILL 3086.
Personnel and Pensions: HOUSE AMENDMENT No. 2 to HOUSE BILL 1627.
Gaming: HOUSE AMENDMENT No. 2 to HOUSE BILL 480.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 0, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Hannig(D)
A Turner(D)
A Black(R), Republican Spokesperson
Y Schmitz (R) (replacing Hassert)

Representative Currie, Chairperson, from the Committee on Rules to which the following were referred, action taken on April 26, 2007, (A) reported the same back with the following recommendations:

LEGISLATIVE MEASURES APPROVED FOR FLOOR CONSIDERATION:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 988.

The committee roll call vote on the foregoing Legislative Measures is as follows:
3, Yeas; 1, Nays; 0, Answering Present.

Y Currie(D), Chairperson
Y Lyons (D) (replacing Hannig)
Y Turner(D)
A Black(R), Republican Spokesperson
N Hassert(R)

REPORTS FROM STANDING COMMITTEES

Representative Holbrook, Chairperson, from the Committee on Environment & Energy to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 3671.

The committee roll call vote on Amendment No. 1 to House Bill 3671 is as follows:
16, Yeas; 0, Nays; 0, Answering Present.

Y Holbrook(D), Chairperson
Y Durkin(R), Republican Spokesperson
Y Washington (D)(replacing Bradley, R.)
Y Flider(D)
A Hamos(D)
A Krause(R)
A Meyer(R)
Y Reboletti(R)
Y Rita(D)
A Schock(R)
Y Tryon(R)
Y Winters(R)
Y Nekritz(D), Vice-Chairperson
Y Bradley, John(D)
A Cole(R)
Y Fortner(R)
Y Joyce(D)
Y May(D)
A Phelps(D)
Y Reitz(D)
Y Rose(R)
Y Harris(D)(replacing Smith)
A Mautino(D)(replacing Verschoore)

Representative May, Chairperson, from the Committee on Environmental Health to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the bill be reported "do pass" and be placed on the order of Second Reading-- Short Debate: SENATE BILL 500.

The committee roll call vote on Senate Bill 500 is as follows:
10, Yeas; 2, Nays; 0, Answering Present.

Y May(D), Chairperson
N Winters(R), Republican Spokesperson
N Boland(D)
Y Hamos(D)
Y Lindner(R)
Y Pritchard(R)
Y McCarthy(D), Vice-Chairperson
Y Bellock(R)
Y Froehlich(R)
Y Harris(D)
Y Nekritz(D)
Y Riley(D)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2859.

The committee roll call vote on Amendment No. 1 to House Bill 2859 is as follows:
12, Yeas; 1, Nays; 0, Answering Present.

Y Molaro(D), Chairperson
N Collins(D), Vice-Chairperson

Y Lindner(R), Republican Spokesperson
Y McAuliffe(R)(replacing Durkin)
Y Gordon(D)
Y Jefferies(D)
Y Reis(R)
Y Wait(R)
Y Chapa LaVia(D)
Y Golar(D)
Y Howard(D)
Y Reboletti(R)
Y Sacia(R)

Representative McCarthy, Chairperson, from the Committee on Higher Education to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2194.
Amendment No. 1 to HOUSE BILL 2201.

The committee roll call vote on Amendment No. 1 to House Bill 2194 is as follows:
13, Yeas; 0, Nays; 0, Answering Present.

Y McCarthy(D), Chairperson
Y Bost(R), Republican Spokesperson
A Black(R)
A Brosnahan(D)
Y Poe(R)(replacing Eddy)
Y Howard(D)
Y Myers(R)
Y Tracy(R)
Y Jakobsson(D), Vice-Chairperson
Y Beiser(D)
Y Brady(R)
Y D'Amico(D)
Y Flowers(D)
Y Miller(D)
Y Pritchard(R)

The committee roll call vote on Amendment No. 1 to House Bill 2201 is as follows:
11, Yeas; 0, Nays; 2, Answering Present.

P McCarthy(D), Chairperson
Y Bost(R), Republican Spokesperson
A Black(R)
A Brosnahan(D)
P Poe(R)(replacing Eddy)
Y Howard(D)
Y Myers(R)
Y Tracy(R)
Y Jakobsson(D), Vice-Chairperson
Y Beiser(D)
Y Brady(R)
Y D'Amico(D)
Y Flowers(D)
Y Miller(D)
Y Pritchard(R)

Representative Gordon, Chairperson, from the Committee on Smart Growth & Regional Planning to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2473.

The committee roll call vote on Amendment No. 1 to House Bill 2473 is as follows:
9, Yeas; 0, Nays; 0, Answering Present.

Y Gordon(D), Chairperson
Y Meyer(R), Republican Spokesperson
Y Hamos(D)
Y Poe(R)
Y Tryon(R)
Y Flowers(D), Vice-Chairperson
Y Chapa LaVia(D)
Y Mathias(R)
Y Riley(D)

Representative Smith, Chairperson, from the Committee on Elementary & Secondary Education to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 3361.

The committee roll call vote on Amendment No. 1 to House Bill 3361 is as follows:

21, Yeas; 0, Nays; 0, Answering Present.

Y Smith(D), Chairperson
Y Mitchell, Jerry(R), Republican Spokesperson
Y Chapa LaVia(D)
Y Dugan(D)
Y Flider(D)
Y Joyce(D)
Y Miller(D)
Y Munson(R)
Y Phelps(D)
Y Pritchard(R)
Y Watson(R)
Y Davis, Monique(D), Vice-Chairperson
Y Bassi(R)
Y Crespo(D)
Y Eddy(R)
Y Golar(D)
Y Ramey(R)(replacing Kosel)
Y Mulligan(R)
A Osterman(D)
Y Pihos(R)
Y Reis(R)
Y Yarbrough(D)

Representative Scully, Chairperson, from the Committee on Electric Utility Oversight to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the bill be reported "do pass as amended" and be placed on the order of Second Reading--Standard Debate: SENATE BILL 1592.

The committee roll call vote on Senate Bill 1592 is as follows:

5, Yeas; 0, Nays; 4, Answering Present.

Y Scully(D), Chairperson
P Krause(R), Republican Spokesperson
Y Flider(D) (replacing Granberg)
Y Smith(D) (replacing May)
P Black(R) (replacing Winters)
Y Verschoore(D), Vice-Chairperson
P Durkin(R)
P Leitch(R)
Y Harris (D) (replacing Patterson)

Representative Richard Bradley, Chairperson, from the Committee on Personnel and Pensions to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 1627.

The committee roll call vote on Amendment No. 2 to House Bill 1627 is as follows:

5, Yeas; 0, Nays; 0, Answering Present.

Y Bradley, Richard(D), Chairperson
Y Poe(R), Republican Spokesperson
Y Burke(D)
Y Colvin(D), Vice-Chairperson
Y Brauer(R)

Representative Scully, Chairperson, from the Committee on Electric Utility Oversight to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 2 to HOUSE BILL 1871.

The committee roll call vote on Amendment No. 2 to House Bill 1871 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

Y Scully(D), Chairperson
Y Krause(R), Republican Spokesperson
Y Granberg(D)
Y Verschoore(D), Vice-Chairperson
Y Durkin(R)
Y Leitch(R)

Y May(D)
Y Winters(R)
Y Nekritz (D) (replacing Patterson)

Representative John Bradley, Chairperson, from the Committee on Judiciary I - Civil Law to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 3010.

The committee roll call vote on Amendment No. 1 to House Bill 3010 is as follows:

9, Yeas; 0, Nays; 0, Answering Present.

A Fritchey(D), Chairperson
Y Rose(R), Republican Spokesperson
Y Coladipietro(R)
A Gordon(D)
A Hoffman(D)
Y Mathias(R)
Y Osmond(R)
Y Bradley, John(D), Vice-Chairperson
A Brosnahan(D)
Y Dunn(R)
Y Hamos(D)
Y Lang(D)
A Nekritz(D)
Y Wait(R)

Representative Howard, Chairperson, from the Committee on Computer Technology to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 314.

The committee roll call vote on Amendment No. 1 to House Bill 314 is as follows:

5, Yeas; 0, Nays; 0, Answering Present.

Y Howard(D), Chairperson
Y Munson(R), Republican Spokesperson
A Ford(D)
Y Yarbrough(D)
A Patterson(D), Vice-Chairperson
Y Ramey (R) (replacing Biggins)
Y Lindner(R)

Representative Molaro, Chairperson, from the Committee on Judiciary II - Criminal Law to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 3 to HOUSE BILL 2749.

The committee roll call vote on Amendment No. 3 to House Bill 2749 is as follows:

8, Yeas; 2, Nays; 0, Answering Present.

N Molaro(D), Chairperson
Y Lindner(R), Republican Spokesperson
Y Durkin(R)
Y D'Amico (D) (replacing Gordon)
Y Jefferies(D)
Y Reis(R)
A Wait(R)
A Collins(D), Vice-Chairperson
A Chapa LaVia(D)
N Golar(D)
Y Howard(D)
Y Reboletti(R)
Y Sacia(R)

Representative Colvin, Chairperson, from the Committee on Consumer Protection to which the following were referred, action taken on April 26, 2007, reported the same back with the following recommendations:

That the Floor Amendment be reported "recommends be adopted":
Amendment No. 1 to HOUSE BILL 2071.

The committee roll call vote on Amendment No. 1 to House Bill 2071 is as follows:
9, Yeas; 2, Nays; 0, Answering Present.

Y Colvin(D), Chairperson
N Sullivan(R), Republican Spokesperson
Y Graham(D)
Y Meyer(R)
A Ramey(R)
Y Scully(D)
Y Gordon(D), Vice-Chairperson
Y Arroyo(D)
Y Hernandez(D)
N Pihos(R)
Y Rita(D)
Y Tracy(R)

FISCAL NOTES SUPPLIED

Fiscal Notes have been supplied for HOUSE BILLS 193, as amended, 230, as amended, 480, as amended, 684, as amended, 818, as amended, and 980, as amended.

STATE DEBT IMPACT NOTE SUPPLIED

State Debt Impact Notes have been supplied for HOUSE BILLS 230, as amended, 480, as amended, 818, as amended, and SENATE BILL 1592, as amended.

JUDICIAL NOTE SUPPLIED

A Judicial Note has been supplied for SENATE BILL 1592, as amended.

PENSION NOTE SUPPLIED

Pension Notes have been supplied for HOUSE BILLS 480, as amended, 818, as amended, and SENATE BILL 1592, as amended.

CORRECTIONAL NOTES SUPPLIED

Correctional Notes have been supplied for HOUSE BILLS 480, as amended, and 818, as amended.

REQUEST FOR FISCAL NOTE

Representative Dunkin requested that a Fiscal Note be supplied for HOUSE BILL 899.

Representative Black requested that a Fiscal Note be supplied for HOUSE BILLS 818, as amended, 980, as amended, and 1622, as amended.

Representative Mautino requested that a Fiscal Note be supplied for HOUSE BILL 185, as amended.

Representative Rose requested that a Fiscal Note be supplied for HOUSE BILL 2473, as amended.

REQUEST FOR HOUSING AFFORDABILITY IMPACT NOTES

Representative Black requested that Housing Affordability Impact Notes be supplied for HOUSE BILLS 818, as amended, and 1622, as amended.

REQUEST FOR JUDICIAL NOTE

Representative Black requested that a Judicial Note be supplied for HOUSE BILL 818, as amended.

REQUEST FOR CORRECTIONAL NOTE

Representative Black requested that a Correctional Note be supplied for HOUSE BILL 818, as amended.

CHANGE OF SPONSORSHIP

With the consent of the affected members, Representative Washington was removed as principal sponsor, and Representative Miller became the new principal sponsor of SENATE BILL 1468.

With the consent of the affected members, Representative Black was removed as principal sponsor, and Representative Scully became the new principal sponsor of SENATE BILL 1592.

With the consent of the affected members, Representative Smith was removed as principal sponsor, and Representative Eddy became the new principal sponsor of HOUSE BILL 2017.

With the consent of the affected members, Representative Smith was removed as principal sponsor, and Representative Berrios became the new principal sponsor of HOUSE BILL 2012.

With the consent of the affected members, Representative Smith was removed as principal sponsor, and Representative Richard Bradley became the new principal sponsor of HOUSE BILL 2006.

With the consent of the affected members, Representative Mathias was removed as principal sponsor, and Representative Scully became the new principal sponsor of SENATE BILL 472.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative McGuire became the new principal sponsor of HOUSE BILL 2277.

With the consent of the affected members, Representative Cross was removed as principal sponsor, and Representative Lindner became the new principal sponsor of HOUSE BILL 3010.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Gordon became the new principal sponsor of HOUSE BILL 2071.

With the consent of the affected members, Representative Madigan was removed as principal sponsor, and Representative Feigenholtz became the new principal sponsor of HOUSE BILL 2353.

INTRODUCTION AND FIRST READING OF BILL

The following bill was introduced, read by title a first time, ordered reproduced and placed in the Committee on Rules:

HOUSE BILL 4093. Introduced by Representative Colvin, AN ACT concerning appropriations.

SENATE BILLS ON FIRST READING

Having been reproduced, the following bills were taken up, read by title a first time and placed in the Committee on Rules: SENATE BILLS 30 (Bradley,J.), 478 (Coladipietro), 671 (Coulson), 853 (Black), 1383 (Miller), 1395 (Jefferson), 1453 (Currie), 1653 (Miller) and 1746 (Soto).

DISTRIBUTION OF SUPPLEMENTAL CALENDAR

Supplemental Calendar No. 1 was distributed to the Members at 12:28 o'clock p.m.

RECALL

At the request of the principal sponsor, Representative Phelps, HOUSE BILL 1847 was recalled from the order of Third Reading to the order of Second Reading.

HOUSE BILLS ON SECOND READING

HOUSE BILL 1847. Having been reproduced, was taken up and read by title a second time.

Representative Phelps offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1847 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 10-22.22b, 10-23.5, and 11E-110 as follows:

(105 ILCS 5/10-22.22b) (from Ch. 122, par. 10-22.22b)

Sec. 10-22.22b. (a) The provisions of this subsection shall not apply to the deactivation of a high school facility under subsection (c). Where in its judgment the interests of the district and of the students therein will be best served, to deactivate any high school facility or elementary school facility in the district and send the students of such high school in grades 9 through 12 or such elementary school in grades kindergarten through 8, as applicable, to schools in other districts. Such action may be taken only with the approval of the voters in the district and the approval, by proper resolution, of the school board of the receiving district. The board of the district contemplating deactivation shall, by proper resolution, cause the proposition to deactivate the school facility to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM TO
DEACTIVATE THE ... SCHOOL FACILITY
IN SCHOOL DISTRICT NO. .....

Notice is hereby given that on (insert date), a referendum will be held in ..... County (Counties) for the purpose of voting for or against the proposition to deactivate the ..... School facility in School District No. ..... and to send pupils in ..... School to School District(s) No. .....

The polls will be open at .... o'clock ... m., and close at .... o'clock ... m. of the same day.

A..... B.....

Dated (insert date).

Regional Superintendent of Schools

The proposition shall be in substantially the following form:

Shall the Board of Education of School District No. ...., ... County, Illinois, be authorized to deactivate the .... School facility and to send pupils in ..... School to School District(s) No. .....?

YES

NO

If the majority of those voting upon the proposition in the district contemplating deactivation vote in favor

of the proposition, the board of that district, upon approval of the board of the receiving district, shall execute a contract with the receiving district providing for the reassignment of students to the receiving district. If the deactivating district seeks to send its students to more than one district, it shall execute a contract with each receiving district. The length of the contract shall be for 2 school years, but the districts may renew the contract for additional one year or 2 year periods. Contract renewals shall be executed by January 1 of the year in which the existing contract expires. If the majority of those voting upon the proposition do not vote in favor of the proposition, the school facility may not be deactivated.

The sending district shall pay to the receiving district an amount agreed upon by the 2 districts.

When the deactivation of school facilities becomes effective pursuant to this Section, the provisions of Section 24-12 relative to the contractual continued service status of teachers having contractual continued service whose positions are transferred from one board to the control of a different board shall apply, and the positions at the school facilities being deactivated held by teachers, as that term is defined in Section 24-11, having contractual continued service with the school district at the time of the deactivation shall be transferred to the control of the board or boards who shall be receiving the district's students on the following basis:

(1) positions of such teachers in contractual continued service that were full time positions shall be transferred to the control of whichever of such boards such teachers shall request with the teachers making such requests proceeding in the order of those with the greatest length of continuing service with the board to those with the shortest length of continuing service with the board, provided that the number selecting one board over another board or other boards shall not exceed that proportion of the school students going to such board or boards; and

(2) positions of such teachers in contractual continued service that were full time positions and as to which there is no selection left under subparagraph 1 hereof shall be transferred to the appropriate board.

The contractual continued service status of any teacher thereby transferred to another district is not lost and the receiving board is subject to the School Code with respect to such transferred teacher in the same manner as if such teacher was the district's employee during the time such teacher was actually employed by the board of the deactivating district from which the position was transferred.

When the deactivation of school facilities becomes effective pursuant to this Section, the provisions of subsection (b) of Section 10-23.5 of this Code relative to the transfer of educational support personnel employees shall apply, and the positions at the school facilities being deactivated that are held by educational support personnel employees at the time of the deactivation shall be transferred to the control of the board or boards that will be receiving the district's students on the following basis:

(A) positions of such educational support personnel employees that were full-time positions shall be transferred to the control of whichever of the boards the employees request, with the educational support personnel employees making these requests proceeding in the order of those with the greatest length of continuing service with the board to those with the shortest length of continuing service with the board, provided that the number selecting one board over another board or other boards must not exceed that proportion of students going to such board or boards; and

(B) positions of such educational support personnel employees that were full-time positions and as to which there is no selection left under subdivision (A) shall be transferred to the appropriate board.

The length of continuing service of any educational support personnel employee thereby transferred to another district is not lost and the receiving board is subject to this Code with respect to that transferred educational support personnel employee in the same manner as if the educational support personnel employee was the district's employee during the time the educational support personnel employee was actually employed by the board of the deactivating district from which the position was transferred.

(b) The provisions of this subsection shall not apply to the reactivation of a high school facility which is deactivated under subsection (c). The sending district may, with the approval of the voters in the district, reactivate the school facility which was deactivated. The board of the district seeking to reactivate the school facility shall, by proper resolution, cause the proposition to reactivate to be submitted to the voters of the district at a regularly scheduled election. Notice shall be published at least 10 days prior to the date of the election at least once in one or more newspapers published in the district or, if no newspaper is published in the district, in one or more newspapers with a general circulation within the district. The notice shall be substantially in the following form:

NOTICE OF REFERENDUM TO
REACTIVATE THE ..... SCHOOL FACILITY
IN SCHOOL DISTRICT NO. .....

Notice is hereby given that on (insert date), a referendum will be held in ..... County (Counties) for the purpose of voting for or against the proposition to reactivate the ..... School facility in School District No. ..... and to discontinue sending pupils of School District No. ..... to School District(s) No. .....

The polls will be opened at ... o'clock .. m., and closed at ... o'clock .. m. of the same day.

A..... B.....

Dated (insert date).

Regional Superintendent of Schools

The proposition shall be in substantially the following form:

Shall the Board of Education of School District No. ....., ... County, Illinois, be authorized to reactivate the .... School facility and to discontinue sending pupils of School District No. .... to School District(s) No. .....?

YES

NO

(c) The school board of any unit school district which experienced a strike by a majority of its certified employees that endured for over 6 months during the regular school term of the 1986-1987 school year, and which during the ensuing 1987-1988 school year had an enrollment in grades 9 through 12 of less than 125 students may, when in its judgment the interests of the district and of the students therein will be best served thereby, deactivate the high school facilities within the district for the regular term of the 1988-1989 school year and, for that school year only, send the students of such high school in grades 9 through 12 to schools in adjoining or adjacent districts. Such action may only be taken: (a) by proper resolution of the school board deactivating its high school facilities and the approval, by proper resolution, of the school board of the receiving district or districts, and (b) pursuant to a contract between the sending and each receiving district, which contract or contracts: (i) shall provide for the reassignment of all students of the deactivated high school in grades 9 through 12 to the receiving district or districts; (ii) shall apply only to the regular school term of the 1988-1989 school year; (iii) shall not be subject to renewal or extension; and (iv) shall require the sending district to pay to the receiving district the cost of educating each student who is reassigned to the receiving district, such costs to be an amount agreed upon by the sending and receiving district but not less than the per capita cost of maintaining the high school in the receiving district during the 1987-1988 school year. Any high school facility deactivated pursuant to this subsection for the regular school term of the 1988-1989 school year shall be reactivated by operation of law as of the end of the regular term of the 1988-1989 school year. The status as a unit school district of a district which deactivates its high school facilities pursuant to this subsection shall not be affected by reason of such deactivation of its high school facilities and such district shall continue to be deemed in law a school district maintaining grades kindergarten through 12 for all purposes relating to the levy, extension, collection and payment of the taxes of the district under Article 17 for the 1988-1989 school year.

(d) Whenever a school facility is reactivated pursuant to the provisions of this Section, then all teachers in contractual continued service who were honorably dismissed or transferred as part of the deactivation process, in addition to other rights they may have under the School Code, shall be recalled or transferred back to the original district.

(Source: P.A. 94-213, eff. 7-14-05.)

(105 ILCS 5/10-23.5) (from Ch. 122, par. 10-23.5)

Sec. 10-23.5. Educational support personnel employees.

(a) To employ such educational support personnel employees as it deems advisable and to define their employment duties; provided that residency within any school district shall not be considered in determining the employment or the compensation of any such employee, or whether to retain, promote, assign or transfer such employee. If an educational support personnel employee is removed or dismissed as a result of a decision of the school board (i) to decrease the number of educational support personnel employees employed by the board or (ii) to discontinue some particular type of educational support service, written notice shall be mailed to the employee and also given the employee either by certified mail, return receipt requested or personal delivery with receipt at least 30 days before the employee is removed or dismissed, together with a statement of honorable dismissal and the reason therefor. The employee with the

shorter length of continuing service with the district, within the respective category of position, shall be dismissed first unless an alternative method of determining the sequence of dismissal is established in a collective bargaining agreement or contract between the board and any exclusive bargaining agent and except that this provision shall not impair the operation of any affirmative action program in the district, regardless of whether it exists by operation of law or is conducted on a voluntary basis by the board. If the board has any vacancies for the following school term or within one calendar year from the beginning of the following school term, the positions thereby becoming available within a specific category of position shall be tendered to the employees so removed or dismissed from that category of position, so far as they are qualified to hold such positions. Each board shall, in consultation with any exclusive employee representative or bargaining agent, each year establish a list, categorized by positions, showing the length of continuing service of each full time educational support personnel employee who is qualified to hold any such positions, unless an alternative method of determining a sequence of dismissal is established as provided for in this Section, in which case a list shall be made in accordance with the alternative method. Copies of the list shall be distributed to the exclusive employee representative or bargaining agent on or before February 1 of each year. Where an educational support personnel employee is dismissed by the board as a result of a decrease in the number of employees or the discontinuance of the employee's job, the employee shall be paid all earned compensation on or before the third business day following his or her last day of employment.

The provisions of this amendatory Act of 1986 relating to residency within any school district shall not apply to cities having a population exceeding 500,000 inhabitants.

(b) In the case of a new school district or districts formed in accordance with Article 11E of this Code, a school district or districts that annex all of the territory of one or more entire other school districts in accordance with Article 7 of this Code, or a school district receiving students from a deactivated school facility in accordance with Section 10-22.22b of this Code, the employment of educational support personnel in the new, annexing, or receiving school district immediately following the reorganization shall be governed by this subsection (b). Lists of the educational support personnel employed in the individual districts for the school year immediately prior to the effective date of the new district or districts, annexation, or deactivation shall be combined for the districts forming the new district or districts, for the annexed and annexing districts, or for the deactivating and receiving districts, as the case may be. The combined list shall be categorized by positions, showing the length of continuing service of each full-time educational support personnel employee who is qualified to hold any such position. If there are more full-time educational support personnel employees on the combined list than there are available positions in the new, annexing, or receiving school district, then the employing school board shall first remove or dismiss those educational support personnel employees with the shorter length of continuing service within the respective category of position, following the procedures outlined in subsection (a) of this Section. The employment and position of each educational support personnel employee on the combined list not so removed or dismissed shall be transferred to the new, annexing, or receiving school board, and the new, annexing, or receiving school board is subject to this Code with respect to any educational support personnel employee so transferred as if the educational support personnel employee had been the new, annexing, or receiving board's employee during the time the educational support personnel employee was actually employed by the school board of the district from which the employment and position were transferred.

The changes made by this amendatory Act of the 95th General Assembly shall not apply to the formation of a new district or districts in accordance with Article 11E of this Code, the annexation of one or more entire districts in accordance with Article 7 of this Code, or the deactivation of a school facility in accordance with Section 10-22.22b of this Code effective on or before July 1, 2007.

(Source: P.A. 89-618, eff. 8-9-96; 90-548, eff. 1-1-98.)

(105 ILCS 5/11E-110)

Sec. 11E-110. Teachers in contractual continued service; educational support personnel employees.

(a) When a school district conversion or multi-unit conversion becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the provisions of Section 24-12 of this Code relative to the contractual continued service status of teachers having contractual continued service whose positions are transferred from one school board to the control of a new or different school board shall apply, and the positions held by teachers, as that term is defined in Section 24-11 of this Code, having contractual continued service with the unit district at the time of its dissolution shall be transferred on the following basis:

(1) positions of teachers in contractual continued service that, during the 5 school

years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades 9 through 12 shall be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be;

(2) positions of teachers in contractual continued service that, during the 5 school years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades kindergarten through 8 shall be transferred to the control of the school board of the newly created successor elementary district; and

(3) positions of teachers in contractual continued service that were full-time positions not required to be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be, or the school board of the newly created successor elementary district under the provisions of subdivision (1) or (2) of this subsection (a) shall be transferred to the control of whichever of the boards the teacher shall request.

~~(4)~~ With respect to each position to be transferred under the provisions of this subsection (a), the amount of time required of each position to be spent in one or more of grades kindergarten through 8 and 9 through 12 shall be determined with reference to the applicable records of the unit district being dissolved pursuant to stipulation of the school board of the unit district prior to the effective date of its dissolution or thereafter of the school board of the newly created districts and with the approval in either case of the regional superintendent of schools of the educational service region in which the territory described in the petition filed under this Article or the greater percentage of equalized assessed evaluation of the territory is situated; however, if no such stipulation can be agreed upon, the regional superintendent of schools, after hearing any additional relevant and material evidence that any school board desires to submit, shall make the determination.

(a-5) When a school district conversion or multi-unit conversion becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the provisions of subsection (b) of Section 10-23.5 of this Code relative to the transfer of educational support personnel employees shall apply, and the positions held by educational support personnel employees shall be transferred on the following basis:

(1) positions of educational support personnel employees that, during the 5 school years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades 9 through 12 shall be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be;

(2) positions of educational support personnel employees that, during the 5 school years immediately preceding the effective date of the change, as determined under Section 11E-70 of this Code, were full-time positions in which all of the time required of the position was spent in one or more of grades kindergarten through 8 shall be transferred to the control of the school board of the newly created successor elementary district; and

(3) positions of educational support personnel employees that were full-time positions not required to be transferred to the control of the school board of the new high school district or combined high school - unit district, as the case may be, or the school board of the newly created successor elementary district under subdivision (1) or (2) of this subsection (a-5) shall be transferred to the control of whichever of the boards the educational support personnel employee requests.

With respect to each position to be transferred under this subsection (a-5), the amount of time required of each position to be spent in one or more of grades kindergarten through 8 and 9 through 12 shall be determined with reference to the applicable records of the unit district being dissolved pursuant to stipulation of the school board of the unit district prior to the effective date of its dissolution or thereafter of the school board of the newly created districts and with the approval in either case of the regional superintendent of schools of the educational service region in which the territory described in the petition filed under this Article or the greater percentage of equalized assessed evaluation of the territory is situated; however, if no such stipulation can be agreed upon, the regional superintendent of schools, after hearing any additional relevant and material evidence that any school board desires to submit, shall make the determination.

(b) When the creation of a unit district or a combined school district becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the positions of teachers in contractual continued service in the districts involved in the creation of the new

district are transferred to the newly created district pursuant to the provisions of Section 24-12 of this Code relative to teachers having contractual continued service status whose positions are transferred from one board to the control of a different board, and those provisions of Section 24-12 shall apply to these transferred teachers. The contractual continued service status of any teacher thereby transferred to the newly created district is not lost and the new school board is subject to this Code with respect to the transferred teacher in the same manner as if the teacher was that district's employee and had been its employee during the time the teacher was actually employed by the school board of the district from which the position was transferred.

(c) When the creation of a unit district or a combined school district becomes effective for purposes of administration and attendance, as determined pursuant to Section 11E-70 of this Code, the positions of educational support personnel employees in the districts involved in the creation of the new district shall be transferred to the newly created district pursuant to subsection (b) of Section 10-23.5 of this Code. The length of continuing service of any educational support personnel employee thereby transferred to the newly created district is not lost and the new school board is subject to this Code with respect to the transferred educational support personnel employee in the same manner as if the educational support personnel employee had been that district's employee during the time the educational support personnel employee was actually employed by the school board of the district from which the position was transferred.

(Source: P.A. 94-1019, eff. 7-10-06; revised 8-23-06.)

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, again advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced and laid upon the Members' desks. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Molaro, HOUSE BILL 1319 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 2)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Poe, HOUSE BILL 3218 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 3)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Ramey, HOUSE BILL 472 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

114, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 4)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Washington, HOUSE BILL 656 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 5)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Reis, HOUSE BILL 3666 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 6)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Rose, HOUSE BILL 2036 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

114, Yeas; 2, Nays; 0, Answering Present.

(ROLL CALL 7)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Sacia, HOUSE BILL 1406 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

116, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 8)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Younge, HOUSE BILL 1878 was taken up and read by title a third time.

Representative Durkin asked the Chair if the bill preempted Home Rule in a manner that it requires extraordinary vote.

The Chair rules that the bill requires 60 votes for passage.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

77, Yeas; 38, Nays; 1, Answering Present.

(ROLL CALL 9)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Schock, HOUSE BILL 699 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
104, Yeas; 12, Nays; 0, Answering Present.
(ROLL CALL 10)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Sommer, HOUSE BILL 1875 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 11)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative William Davis, HOUSE BILL 2307 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
114, Yeas; 2, Nays; 0, Answering Present.
(ROLL CALL 12)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Richard Bradley, HOUSE BILL 1231 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
63, Yeas; 52, Nays; 1, Answering Present.
(ROLL CALL 13)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Chapa LaVia, HOUSE BILL 2179 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 14)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Meyer, HOUSE BILL 3091 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
81, Yeas; 35, Nays; 0, Answering Present.
(ROLL CALL 15)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Colvin, HOUSE BILL 1662 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 16)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Monique Davis, HOUSE BILL 232 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
112, Yeas; 4, Nays; 0, Answering Present.
(ROLL CALL 17)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Sullivan, HOUSE BILL 3165 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 18)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Dugan, HOUSE BILL 2044 was taken up and read by title a third time.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
116, Yeas; 0, Nays; 0, Answering Present.
(ROLL CALL 19)
This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.
Ordered that the Clerk inform the Senate and ask their concurrence.

RECALL

At the request of the principal sponsor, Representative Feigenholtz, HOUSE BILL 3446 was recalled from the order of Third Reading to the order of Second Reading and held on that order.

HOUSE BILL ON THIRD READING

The following bill and any amendments adopted thereto were reproduced and laid upon the Members' desks. This bill has been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Tryon, HOUSE BILL 3728 was taken up and read by title a third time.
The Chair places this bill on standard debate.
Representative Leitch requests a verified roll call.
And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:
67, Yeas; 48, Nays; 0, Answering Present.
(ROLL CALL 20) VERIFIED ROLL CALL

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

SENATE BILLS ON SECOND READING

SENATE BILL 1592. Having been reproduced, was taken up and read by title a second time.

Committee Amendment No. 1 lost in the Committee on Electric Utility Oversight.

The following amendment was offered in the Committee on Electric Utility Oversight, adopted and reproduced:

AMENDMENT NO. 2 . Amend Senate Bill 1592 on page 1, by replacing lines 4 and 5 with the following:

"Section 5. The Public Utilities Act is amended by adding Section 8-205.5 and by changing Sections 16-102, 16-111, and 16-113 as follows:

(220 ILCS 5/8-205.5 new)

Sec. 8-205.5. Termination of utilities prior to December 1, 2007. Notwithstanding any other provision of this Act or any other law to the contrary, a public utility that, on December 31, 2005, served at least 100,000 electric customers in Illinois may not terminate electric service to a residential customer for nonpayment prior to December 1, 2007."; and

on page 5, line 14, by deleting "but fewer than 2 million"; and

on page 10, line 14, by deleting "but fewer than 2,000,000".

There being no further amendments, the foregoing Amendment No. 2 was adopted and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: SENATE BILL 500.

RECESS

At the hour of 2:28 o'clock p.m., Representative Lyons moved that the House do now take a recess until the call of the Chair.

The motion prevailed.

At the hour of 3:26 o'clock p.m., the House resumed its session.

Representative Lyons in the Chair.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were printed and laid upon the Member's desks. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments pending were tabled pursuant to Rule 40(a).

On motion of Representative Osterman, HOUSE BILL 758 was taken up and read by title a third time.

The Chair moves this bill to standard debate.

Representative Black asked the chair if the bill preempted Home Rule in a manner that it requires an extraordinary vote.

The Chair ruled that the bill requires 60 votes for passage.

And the question being, "Shall this bill pass?".

Pending the vote on said bill, on motion of Representative Osterman, further consideration of HOUSE BILL 758 was postponed.

On motion of Representative Graham, HOUSE BILL 796 was taken up and read by title a third time.

The Chair moves this bill to standard debate.

And the question being, "Shall this bill pass?".

Pending the vote on said bill, on motion of Representative Graham, further consideration of HOUSE BILL 796 was postponed.

On motion of Representative Fritchey, HOUSE BILL 317 was taken up and read by title a third time.

The Chair moves this bill to standard debate.

Representative Reis requests a verified roll call.

And the question being, "Shall this bill pass?" it was decided in the negative by the following vote:

55, Yeas; 62, Nays; 0, Answering Present.

(ROLL CALL 21)

This bill, having failed to receive the votes of a constitutional majority of the Members elected, was declared lost.

HOUSE BILLS ON SECOND READING

HOUSE BILL 818. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Consumer Protection, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 818 by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Section 4-605 as follows:

(220 ILCS 5/4-605 new)

Sec. 4-605. Prohibition against the installation, operation, and maintenance of electric distribution facilities and equipment.

(a) The General Assembly finds that the installation, maintenance, and operation of electric distribution facilities and equipment has traditionally been performed by electric utility employees and personnel of electric utility contractors who have the requisite skills, training, and experience to properly and safely install, maintain, and operate these facilities and equipment. The General Assembly further finds that it is unjust and unreasonable and a public safety and system reliability hazard for retail customers or persons or entities on their behalf to install, maintain or operate electric distribution facilities or equipment.

(b) For purposes of this Section:

"Retail customer" and "electric utility" have the same meanings as those terms are defined in Section 16-102 of the Public Utilities Act.

"Electric distribution facilities and equipment" means all of the facilities and equipment, including, but not limited to, substations, distribution feeder circuits, switches, protective equipment, primary circuits, distribution transformers, line extensions and service extensions both above or below ground, conduit, risers, elbows, transformer pads, junction boxes, manholes, pedestals, conductors, and all associated fittings that connect the transmission system to either the weatherhead on the retail customer's building or other structure for above ground service or to the terminals on the meter base of the retail customer's building or other structure for below ground service.

(c) Notwithstanding any law, tariff, Commission rule, order, or decision to the contrary, no electric utility shall allow a retail customer or any person, corporation, or agent on behalf of such customer to install, operate, or maintain any electric distribution facility or equipment. The installation, operation, and maintenance of any electric distribution facility or equipment shall be the obligation of the electric utility that provides delivery services to the retail customer.

(d) Subsection (c) of this Section shall not apply to a retail customer of a municipal system or electric cooperative as the terms "municipal system" and "electric cooperative" are respectively defined in Sections 3-119 and 16-102 of the Public Utilities Act.

(e) The employees of an electric utility, including the collective bargaining representative or representatives of such employees, that are obligated to install, operate, or maintain electric distribution

facilities and equipment shall have an independent statutory cause of action under State law to file a complaint against an electric utility, retail customer or person, corporation, or agent acting on behalf of a retail customer in circuit court for alleged violations of subsection (c) of this Section.

The employees of an electric utility, including the collective bargaining representative or representatives of such employees, may file a complaint in the circuit court of Cook, Sangamon, or Madison County or the circuit court of any county in which the alleged violation of subsection (c) of this Section has or is about to occur in order to have the alleged violation stopped or prevented either by mandamus or injunction. The circuit court shall specify a time, not exceeding 21 days after the service of the copy of the complaint for mandamus or injunction for the filing of an answer, and in the meantime the named defendant or defendants shall be restrained from continuing an alleged violation pending a hearing before the court. In the event of default, or after answer, the circuit court shall immediately inquire into the facts and circumstances of the case and enter an appropriate order with respect to the matters in the complaint. An appeal may be taken from the final judgment in the same manner and with the same effect as appeals are taken from judgments of the circuit court in other actions for mandamus or injunction.

Nothing in this subsection (e) shall limited the rights of employees of an electric utility, including the collective bargaining representative or representatives of such employees, that is obligated to install, operate, or maintain electric distribution facilities and equipment to file a complaint against the electric utility, retail customer or person, corporation, or agent acting on behalf of a retail customer with the Commission for alleged violations of subsection (c) of this Section.

(f) In any case in which an employee of an electric utility, including the collective bargaining representative or representatives of such employees, demonstrates that an electric utility, retail customer or a person, corporation, or agent acting on behalf of a retail customer has violated or is about to violate subsection (c) of this Section, the circuit court shall permanently restrain the defendant or defendants from continuing the alleged violation and award the party bringing the action the reasonable expenses of the litigation, including all reasonable attorney's fees. The circuit court shall impose a civil penalty of not less than $2,000 and not greater than $30,000 for each violation. Each violation of subsection (c) of this Section shall be considered a separate and distinct violation. In the event of a continuing violation, each day's continuance thereof shall be a separate and distinct offense, provided, however, that the cumulative penalty for any continuing violation shall not exceed $500,000, and that these limits shall not apply where the violation was intentional and either (i) created substantial risk to the safety of the utility's employees or customers or the public; or (ii) was intended to cause economic benefits to accrue to the violator. No penalties shall accrue under this subsection (f) until 15 days after the mailing of a notice to such party or parties that they are in violation of subsection (c) of this Section, except that this notice provision shall not apply when the violation was intentional.

Section 99. Effective date. This Act takes effect upon becoming law.".

Representative Joyce offered the following amendment and moved its adoption:

AMENDMENT NO. 2 . Amend House Bill 818, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Public Utilities Act is amended by adding Sections 16-131 and 16-132 as follows:

(220 ILCS 5/16-131 new)

Sec. 16-131. Prohibition against the installation, operation, and maintenance of electric distribution facilities and equipment.

(a) The General Assembly finds that the installation, maintenance, and operation of electric distribution facilities and equipment has traditionally been performed by electric utility employees and personnel of electric utility contractors who have the requisite skills, training, and experience to properly and safely install, maintain, and operate these facilities and equipment. The General Assembly further finds that it is unjust and unreasonable and a public safety and system reliability hazard for retail customers or persons or entities on their behalf to install, maintain or operate electric distribution facilities or equipment.

(b) For purposes of this Section:

"Retail customer", "alternative retail electric supplier", and "electric utility" have the same meanings as those terms are defined in Section 16-102 of the Public Utilities Act.

"Electric distribution facilities and equipment" means any and all of the facilities and equipment, including, but not limited to, substations, distribution feeder circuits, switches, protective equipment, primary circuits, distribution transformers, line extensions and service extensions both above or below ground, conduit, risers, elbows, transformer pads, junction boxes, manholes, pedestals, conductors, and all

associated fittings that connect the transmission system to either the weatherhead on the retail customer's building or other structure for above ground service or to the terminals on the meter base of the retail customer's building or other structure for below ground service.

(c) Notwithstanding any law, tariff or Commission rule, order, or decision to the contrary, no electric utility shall allow a retail customer or any person, corporation, or agent on behalf of such customer to install, operate, or maintain any electric distribution facilities and equipment. The installation, operation, and maintenance of any electric distribution facilities and equipment shall be the obligation of the electric utility that provides delivery services to the retail customer.

(d) Subsection (c) of this Section shall not apply to a retail customer of a municipal system or electric cooperative as the terms "municipal system" and "electric cooperative" are respectively defined in Sections 3-119 and 16-102 of the Public Utilities Act.

(e) Subsection (c) of this Section shall not apply to a retail customer if that retail customer:

(1) receives electric energy or power to engage primarily in industrial, manufacturing, or large commercial activities of any kind, including activities ancillary or incidental thereto, and that retail customer receives at a point of delivery electric energy or power at a voltage of 2400 volts or greater; or

(2) is an alternative retail electric supplier using its own electric distribution facilities and equipment to serve its customers.

Nothing in this subsection (e) shall be construed to permit the retail customer to own, install, operate, or maintain the meter used by the electric utility or alternative retail electric supplier used to measure the electric power or energy usage of the retail customer. For purposes of this subsection (e), a "point of delivery" means the point at which the electric utility or alternative retail electric supplier providing electric distribution facilities and equipment connects its facilities and equipment to the electric distribution facilities and equipment owned or rented by the retail customer, without regard to the location or ownership of transformers, substations, or meters.

(f) The employees of an electric utility, including the collective bargaining representative or representatives of such employees, that are obligated to install, operate, or maintain electric distribution facilities and equipment shall have an independent statutory cause of action under State law to file a complaint against an electric utility, retail customer or person, corporation, or agent acting on behalf of a retail customer in circuit court for alleged violations of subsection (c) of this Section.

The employees of an electric utility, including the collective bargaining representative or representatives of such employees, may file a complaint in the circuit court of Cook, Sangamon, or Madison County or the circuit court of any county in which the alleged violation of subsection (c) of this Section has or is about to occur in order to have the alleged violation stopped or prevented either by mandamus or injunction. The circuit court shall specify a time, not exceeding 21 days after the service of the copy of the complaint for mandamus or injunction for the filing of an answer, and in the meantime the named defendant or defendants shall be restrained from continuing an alleged violation pending a hearing before the court. In the event of default, or after answer, the circuit court shall immediately inquire into the facts and circumstances of the case and enter an appropriate order with respect to the matters in the complaint. An appeal may be taken from the final judgment in the same manner and with the same effect as appeals are taken from judgments of the circuit court in other actions for mandamus or injunction.

Nothing in this subsection (f) shall limited the rights of employees of an electric utility, including the collective bargaining representative or representatives of such employees, that is obligated to install, operate, or maintain electric distribution facilities and equipment to file a complaint against the electric utility, retail customer, or person, corporation, or agent acting on behalf of a retail customer with the Commission for alleged violations of subsection (c) of this Section.

(g) In any case in which an employee of an electric utility, including the collective bargaining representative or representatives of such employees, demonstrates that an electric utility, retail customer or a person, corporation, or agent acting on behalf of a retail customer has violated or is about to violate subsection (c) of this Section, the circuit court shall permanently restrain the defendant or defendants from continuing the alleged violation and award the party bringing the action the reasonable expenses of the litigation, including all reasonable attorney's fees. The circuit court shall impose a civil penalty of not less than $2,000 and not greater than $30,000 for each violation. Each violation of subsection (c) of this Section shall be considered a separate and distinct violation. In the event of a continuing violation, each day's continuance thereof shall be a separate and distinct offense, provided, however, that the cumulative penalty for any continuing violation shall not exceed $500,000, and that these limits shall not apply where the violation was intentional and either (i) created substantial risk to the safety of the utility's employees or customers or the public; or (ii) was intended to cause economic benefits to accrue to the violator. No

penalties shall accrue under this subsection (g) until 15 days after the mailing of a notice to such party or parties that they are in violation of subsection (c) of this Section, except that this notice provision shall not apply when the violation was intentional.

(220 ILCS 5/16-132 new)

Sec. 16-132. Installation of new electric distribution facilities and equipment for retail customers; customer credits.

(a) It is the intent of the General Assembly that every electric utility meet minimum deadlines for the installation of new electric service requested by retail customers.

(b) For purposes of this Section:

"Agricultural use" has the same meaning as a person or entity engaged in activities defined as "production agriculture" under Section 3-35 of the Use Tax Act.

"Electric distribution facilities and equipment" has the same meaning as the term defined in subsection (b) of Section 16-131 of this Act.

"Retail customer" means a retail customer as defined by Section 16-102 of this Act that receives or is eligible to receive delivery services from an electric utility and uses electric power or energy for residential use, agricultural use, or small commercial use. The term "residential use" for purposes of this Section shall include a subdivision developer requesting new electric service for one or more residences.

"Small commercial use" means the receipt at a single premises electric power or energy at a voltage of less than 2,400 volts for use in commercial activities.

(c) The Commission shall promulgate rules establishing deadlines by which electric utilities must install electric distribution facilities and equipment so retail customers can receive new electric service. The rules shall be consistent with Section 16-131 of this Act and shall include fines, penalties, customer credits, and other enforcement mechanisms. In developing the rules, the Commission shall consider, at a minimum, the electric utility's gross annual intrastate revenue; the frequency, duration, and recurrence of the violation; and the relative harm caused to the affected retail customer or other users of electric distribution facilities and equipment. In imposing fines, the Commission shall take into account compensation or credits paid by the electric utility to its retail customers pursuant to this Section. These rules shall become effective within one year after the effective date of this amendatory Act of the 95th General Assembly.

(d) The rules shall, at a minimum, require each electric utility to do all of the following:

(1) Install electric distribution facilities and equipment for new electric service within 15 business days after the receipt of an order from the retail customer unless that customer requests an installation date that is beyond 15 business days after placing the order for new electric service and to inform the retail customer of its duty to install service within this timeframe. If installation of new electric service is requested on or by a date more than 15 business days in the future, the electric utility shall install service by the date requested.

(2) Keep all installation appointments for new electric service when a customer premises visit requires a retail customer to be present.

(3) Inform a customer when an appointment requires the retail customer to be present.

(4) Maintain all records relating to new electric service requests received from retail customers.

(5) Report to the Commission all new electric service requests that were or were not installed by the deadline established by this subsection (d).

(e) The rules shall include provisions for retail customers to be credited by the electric utility for violations of new electric service deadlines as described in subsection (d) of this Section. The credits shall be applied on the statement issued to the retail customer for the next monthly billing cycle following the violation or following the discovery of the violation. The performance levels established in subsection (d) of this Section shall be used by the Commission, at a minimum, to assess whether the electric utility has sufficient staffing levels of electric utility employees who perform new electric service installations. At a minimum, the rules for customer credits shall include the following:

(1) If an electric utility fails to install new electric service as required under subsection (d) of this Section, the electric utility shall waive 50% of any installation charges, or in the absence of an installation charge, the electric utility shall provide the customer with a credit of $100. If the electric utility fails to install service within 20 business days after the service request is placed, or fails to install service within 5 business days after the retail customer's requested installation date, if the requested date was more than 15 business days after the date of the order, the electric utility shall waive 100% of the installation charge, or in the absence of an installation charge, the electric utility shall provide a credit of $200. For each day that the failure to install new electric service continues beyond the initial 20 business days, or beyond 5 business days after the retail customer's requested installation date, if the requested date was more than 15

business days after the date of the order, the electric utility shall also provide an additional credit of $20 per day.

(2) If the electric utility fails to keep a scheduled installation appointment when a customer premises visit requires a retail customer to be present, the electric utility shall credit the customer $50 per missed appointment. A credit required by this subsection (d) does not apply when the electric utility provides the retail customer with 24-hour notice of its inability to keep the appointment.

(3) Credits required by this subsection do not apply if the violation of a service quality standard: (A) occurs as a result of a negligent or willful act of the retail customer; (B) occurs as a result of a malfunction of customer-owned equipment or inside wiring; (C) occurs as a result of, or is extended by, an emergency situation as defined in Commission rules, provided that a strike, lockout or other work stoppage caused by a labor dispute between the electric utility and its employees shall not constitute an emergency situation; (D) is extended by the electric utility's ability to gain access to the customer's premises to due to the customer missing an appointment, provided that the violation is not extended further by the electric utility; (E) occurs as a result of a retail customer request to change the scheduled appointment, provided that the violation is not further extended by the electric utility; or (F) occurs as a result of an electric utility's right to refuse service to a customer as provided in the Commission's rules.

(4) The provisions of this subsection (e) are cumulative and shall not in any way diminish or replace other civil or administrative remedies available to a retail customer.

(e) The rules shall require each electric utility to provide to the Commission, on a quarterly basis and in a form suitable for posting on the Commission's website, a public report that includes performance data for new electric service installations. The performance data shall be disaggregated for each geographic area of the State for which the electric utility operates and in a manner established by the Commission. The report shall include, at minimum, performance data on new electric service installations and missed installation commitments.

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 1021. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on State Government Administration, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1021 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Section 25-80 as follows:

(30 ILCS 500/25-80 new)

Sec. 25-80. Technology piggyback procurements. Notwithstanding any provision of this Code or other law to the contrary, a State agency may make technology purchases of any amount, without any method of source selection otherwise required by this Code, from a vendor with a current contract with a municipality of 500,000 or more population for the provision of technology goods or services. Purchases under this Section may be made only after the appropriate chief procurement officer determines in writing that the purchase is in the best interest of the State.".

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Howard offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 1021, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Procurement Code is amended by adding Sections 25-80 and 25-85 as follows:

(30 ILCS 500/25-80 new)

Sec. 25-80. Government contracts. Each chief procurement officer may authorize, when in the best interest of the State, a State agency to procure supplies and services, including but not limited to technology

supplies and services, without any method of source selection otherwise required by this Code, from a vendor with a current contract with an Illinois municipality of 500,000 or more population. The intended contract must have been let pursuant to competitive selection procedures reasonably comparable to procedures used by the State of Illinois. The purchase must be for substantially similar supplies or services and under the same or better terms and conditions. Details of the determination and intent to use the municipality's contract shall be published in the appropriate volume of the Illinois Procurement Bulletin for a period of 14 days prior to execution of the new contract to allow for a challenge period to the determination of best interest. Contracts resulting from this process shall contain all statutory provisions required by Illinois law and rule.

(30 ILCS 500/25-85 new)

Sec. 25-85. Cooperative purchasing. Each chief procurement officer may authorize, when in the best interest of the State, without any method of source selection otherwise required by this Code, a State agency to enter into agreements with other State governmental entities, or consortia of other State governmental entities, for the purpose of jointly procuring supplies and services. The State of Illinois may act as the lead or as a participant in such agreements. All solicitations and awards resulting from any cooperative purchasing agreement shall be published in the appropriate volume of the Illinois Procurement Bulletin in compliance with current solicitation, protest, and award publication requirements. Contracts resulting from cooperative purchasing agreements shall contain all statutory provisions required by Illinois law and rule. The State procuring agency shall ensure Illinois distributors participate to the maximum extent practicable.

Section 10. The Business Enterprise for Minorities, Females, and Persons with Disabilities Act is amended by changing Section 2 as follows:

(30 ILCS 575/2) (from Ch. 127, par. 132.602)

(Section scheduled to be repealed on September 6, 2008)

Sec. 2. Definitions.

(A) For the purpose of this Act, the following terms shall have the following definitions:

(1) "Minority person" shall mean a person who is a citizen or lawful permanent resident of the United States and who is:

(a) African American (a person having origins in any of the black racial groups in Africa);

(b) Hispanic (a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race);

(c) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands); or

(d) Native American or Alaskan Native (a person having origins in any of the original peoples of North America).

(2) "Female" shall mean a person who is a citizen or lawful permanent resident of the United States and who is of the female gender.

(2.05) "Person with a disability" means a person who is a citizen or lawful resident of the United States and is a person qualifying as being disabled under subdivision (2.1) of this subsection (A).

(2.1) "Disabled" means a severe physical or mental disability that:

(a) results from:

amputation,

arthritis,

autism,

blindness,

burn injury,

cancer,

cerebral palsy,

cystic fibrosis,

deafness,

head injury,

heart disease,

hemiplegia,

hemophilia,

respiratory or pulmonary dysfunction,

mental retardation,

mental illness,
multiple sclerosis,
muscular dystrophy,
musculoskeletal disorders,
neurological disorders, including stroke and epilepsy,
paraplegia,
quadriplegia and other spinal cord conditions,
sickle cell anemia,
specific learning disabilities, or
end stage renal failure disease; and

(b) substantially limits one or more of the person's major life activities.

Another disability or combination of disabilities may also be considered as a severe disability for the purposes of item (a) of this subdivision (2.1) if it is determined by an evaluation of rehabilitation potential to cause a comparable degree of substantial functional limitation similar to the specific list of disabilities listed in item (a) of this subdivision (2.1).

(3) "Minority owned business" means a business concern which is at least 51% owned by one or more minority persons, or in the case of a corporation, at least 51% of the stock in which is owned by one or more minority persons; and the management and daily business operations of which are controlled by one or more of the minority individuals who own it.

(4) "Female owned business" means a business concern which is at least 51% owned by one or more females, or, in the case of a corporation, at least 51% of the stock in which is owned by one or more females; and the management and daily business operations of which are controlled by one or more of the females who own it.

(4.1) "Business owned by a person with a disability" means a business concern that is at least 51% owned by one or more persons with a disability and the management and daily business operations of which are controlled by one or more of the persons with disabilities who own it. A not-for-profit agency for persons with disabilities that is exempt from taxation under Section 501 of the Internal Revenue Code of 1986 is also considered a "business owned by a person with a disability".

(4.2) "Council" means the Business Enterprise Council for Minorities, Females, and Persons with Disabilities created under Section 5 of this Act.

(5) "State contracts" shall mean all State contracts, funded exclusively with State funds which are not subject to federal reimbursement, whether competitively bid or negotiated as defined by the Secretary of the Council and approved by the Council.

"State construction contracts" means all State contracts entered into by a State agency or State university for the repair, remodeling, renovation or construction of a building or structure, or for the construction or maintenance of a highway defined in Article 2 of the Illinois Highway Code.

(6) "State agencies" shall mean all departments, officers, boards, commissions, institutions and bodies politic and corporate of the State, but does not include the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, the Board of Trustees of Western Illinois University, municipalities or other local governmental units, or other State constitutional officers.

(7) "State universities" shall mean the Board of Trustees of the University of Illinois, the Board of Trustees of Southern Illinois University, the Board of Trustees of Chicago State University, the Board of Trustees of Eastern Illinois University, the Board of Trustees of Governors State University, the Board of Trustees of Illinois State University, the Board of Trustees of Northeastern Illinois University, the Board of Trustees of Northern Illinois University, and the Board of Trustees of Western Illinois University.

(8) "Certification" means a determination made by the Council or by one delegated authority from the Council to make certifications, or by a State agency with statutory authority to make such a certification, that a business entity is a business owned by a minority, female, or person with a disability for whatever purpose.

(9) "Control" means the exclusive or ultimate and sole control of the business including, but not limited to, capital investment and all other financial matters, property, acquisitions, contract negotiations, legal matters, officer-director-employee selection and comprehensive hiring, operating responsibilities, cost-control matters, income and dividend matters, financial transactions and rights of other shareholders or joint partners. Control shall be real, substantial and continuing, not pro forma. Control shall include the

power to direct or cause the direction of the management and policies of the business and to make the day-to-day as well as major decisions in matters of policy, management and operations. Control shall be exemplified by possessing the requisite knowledge and expertise to run the particular business and control shall not include simple majority or absentee ownership.

(10) "Business concern or business" means a business that has average annual gross sales over the 3 most recent calendar years of less than $31,400,000 as evidenced by the federal income tax return of the business. Each July 1 this cap shall be adjusted for inflation as determined by the Consumer Price Index for All Urban Consumers as determined by the United States Department of Labor and rounded to the nearest $100. A firm with gross sales in excess of this cap may apply to the Council for certification for a particular contract if the firm can demonstrate that the contract would have significant impact on businesses owned by minorities, females, or persons with disabilities as suppliers or subcontractors or in employment of minorities, females, or persons with disabilities. ~~"Business concern or business" means a business which has annual gross sales for the most recent fiscal year of less than $27,000,000, except that a firm with gross sales in excess of that amount may apply to the Council for certification for a particular contract if the firm can demonstrate that the contract would have significant impact on businesses owned by minorities, females, or persons with disabilities as suppliers or subcontractors or in employment of minorities, females, or persons with disabilities.~~

(B) When a business concern is owned at least 51% by any combination of minority persons, females, or persons with disabilities, even though none of the 3 classes alone holds at least a 51% interest, the ownership requirement for purposes of this Act is considered to be met. The certification category for the business is that of the class holding the largest ownership interest in the business. If 2 or more classes have equal ownership interests, the certification category shall be determined by the Department of Central Management Services.

(Source: P.A. 92-670, eff. 7-16-02.)".

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1050. Having been recalled on April 25, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Collins offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1050 on page 1, by inserting immediately below line 3 the following:

"Section 3. The Children and Family Services Act is amended by changing Section 17a-5 as follows:

(20 ILCS 505/17a-5) (from Ch. 23, par. 5017a-5)

Sec. 17a-5. The Department of Human Services shall be successor to the Department of Children and Family Services in the latter Department's capacity as successor to the Illinois Law Enforcement Commission in the functions of that Commission relating to juvenile justice and the federal Juvenile Justice and Delinquency Prevention Act of 1974 as amended, and shall have the powers, duties and functions specified in this Section relating to juvenile justice and the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

(1) Definitions. As used in this Section:

(a) "juvenile justice system" means all activities by public or private agencies or persons pertaining to the handling of youth involved or having contact with the police, courts or corrections;

(b) "unit of general local government" means any county, municipality or other general purpose political subdivision of this State;

(c) "Commission" means the Illinois Juvenile Justice Commission provided for in Section 17a-9 of this Act.

(2) Powers and Duties of Department. The Department of Human Services shall serve as the official State Planning Agency for juvenile justice for the State of Illinois and in that capacity is authorized and empowered to discharge any and all responsibilities imposed on such bodies by the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended, specifically the deinstitutionalization of status

offenders, separation of juveniles and adults in municipal and county jails, removal of juveniles from county and municipal jails and monitoring of compliance with these mandates. In furtherance thereof, the Department has the powers and duties set forth in paragraphs 3 through 15 of this Section:

(3) To develop annual comprehensive plans based on analysis of juvenile crime problems and juvenile justice and delinquency prevention needs in the State, for the improvement of juvenile justice throughout the State, such plans to be in accordance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended;

(4) To define, develop and correlate programs and projects relating to administration of juvenile justice for the State and units of general local government within the State or for combinations of such units for improvement in law enforcement:

(5) To advise, assist and make recommendations to the Governor as to how to achieve a more efficient and effective juvenile justice system;

(6) To act as a central repository for federal, State, regional and local research studies, plans, projects, and proposals relating to the improvement of the juvenile justice system;

(7) To act as a clearing house for information relating to all aspects of juvenile justice system improvement;

(8) To undertake research studies to aid in accomplishing its purposes;

(9) To establish priorities for the expenditure of funds made available by the United States for the improvement of the juvenile justice system throughout the State;

(10) To apply for, receive, allocate, disburse, and account for grants of funds made available by the United States pursuant to the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; and such other similar legislation as may be enacted from time to time in order to plan, establish, operate, coordinate, and evaluate projects directly or through grants and contracts with public and private agencies for the development of more effective education, training, research, prevention, diversion, treatment and rehabilitation programs in the area of juvenile delinquency and programs to improve the juvenile justice system;

(11) To insure that no more than the maximum percentage of the total annual State allotment of juvenile justice funds be utilized for the administration of such funds;

(12) To provide at least 66-2/3 per centum of funds received by the State under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, are expended through:

(a) programs of units of general local government or combinations thereof, to the extent such programs are consistent with the State plan; and

(b) programs of local private agencies, to the extent such programs are consistent with the State plan;

(13) To enter into agreements with the United States government which may be required as a condition of obtaining federal funds;

(14) To enter into contracts and cooperate with units of general local government or combinations of such units, State agencies, and private organizations of all types, for the purpose of carrying out the duties of the Department imposed by this Section or by federal law or regulations;

(14.5) To operate a toll-free number to arrange for the immediate pick-up and transportation of minor offenders to detention facilities throughout the State pursuant to Section 5-410 of the Juvenile Court Act of 1987;

(15) To exercise all other powers that are reasonable and necessary to fulfill its functions under applicable federal law or to further the purposes of this Section.

(Source: P.A. 89-507, eff. 7-1-97.)"; and

on page 1, line 22, by inserting after "hours" the following:

", except as provided in paragraph (d) of this subsection (2)"; and

on page 5, line 1, by replacing "(Blank)" with the following:

"Whenever it appears that a minor who is arrested pursuant to paragraph (a) of this subsection (2) will need to be detained for longer than 6 hours in a county jail or a municipal lockup, the arresting authority shall notify the Department of Human Services to arrange for the immediate pickup and transportation of the arrested minor to and from a detention facility. A minor may remain in the county jail or municipal lockup for as long as it takes for the Department to provide for pickup and transportation".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 1294. Having been read by title a second time on April 17, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Howard offered the following amendments and moved their adoption.

AMENDMENT NO. 2. Amend House Bill 1294, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Unified Code of Corrections is amended by changing Sections 5-5.5-5, 5-5.5-15, 5-5.5-25, and 5-5.5-30 and by adding Section 5-5.5-55 as follows:

(730 ILCS 5/5-5.5-5)

Sec. 5-5.5-5. Definitions and rules of construction. In this Article:

"Eligible offender" means a person who has been convicted of a crime that does not include any offense or attempted offense that would subject a person to registration under the Sex Offender Registration Act, the Arsonist Registration Act, or the Child Murderer and Violent Offender Against Youth Registration Act. "Eligible offender" does not include a person who has been convicted of committing or attempting to commit first degree murder ~~or of an offense that is not a crime of violence as defined in Section 2 of the Crime Victims Compensation Act, a Class X or a nonprobationable offense, or a violation of Article 11 or Article 12 of the Criminal Code of 1961, but who has not been convicted more than twice of a felony~~.

"Felony" means a conviction of a felony in this State, or of an offense in any other jurisdiction for which a sentence to a term of imprisonment in excess of one year, was authorized.

"Employment bar" means employment restrictions set out in Section 8-23 of the Park District Code, Section 16a-5 of the Chicago Park District Act, and Sections 10-21.9 and 34-18.5 of the School Code.

~~For the purposes of this Article the following rules of construction apply:~~

~~(i) two or more convictions of felonies charged in separate counts of one indictment or information shall be deemed to be one conviction;~~

~~(ii) two or more convictions of felonies charged in 2 or more indictments or informations, filed in the same court prior to entry of judgment under any of them, shall be deemed to be one conviction; and~~

~~(iii) a plea or a verdict of guilty upon which a sentence of probation, conditional discharge, or supervision has been imposed shall be deemed to be a conviction.~~

(Source: P.A. 93-207, eff. 1-1-04; 94-1067, eff. 8-1-06.)

(730 ILCS 5/5-5.5-15)

Sec. 5-5.5-15. Certificates of relief from disabilities issued by courts.

(a) Any circuit court of this State may, in its discretion, issue a certificate of relief from disabilities to an eligible offender for a conviction that occurred in that court if the court imposed a sentence other than one executed by commitment to an institution under the Department of Corrections. The certificate may be issued (i) at the time sentence is pronounced, in which case it may grant relief from forfeiture as well as from disabilities, or (ii) at any time thereafter, in which case it shall apply only to disabilities.

(b) The certificate may not be issued by the court unless the court is satisfied that:

(1) the person to whom it is to be granted is an eligible offender, as defined in Section 5-5.5-5;

(2) the relief to be granted by the certificate is consistent with the rehabilitation of the eligible offender; and

(3) the relief to be granted by the certificate is consistent with the public interest.

(c) If a certificate of relief from disabilities is not issued at the time sentence is pronounced it shall only be issued thereafter upon verified application to the court. The court may, for the purpose of determining whether the certificate shall be issued, request the probation or court services department to conduct an investigation of the applicant. Any probation officer requested to make an investigation under this Section shall prepare and submit to the court a written report in accordance with the request.

(d) Any court that has issued a certificate of relief from disabilities may at any time issue a new certificate to enlarge the relief previously granted provided that the provisions of clauses (1) through (3) of subsection (b) of this Section apply to the issuance of any such new certificate.

(e) Any written report submitted to the court under this Section is confidential and may not be made available to any person or public or private agency except if specifically required or permitted by statute or upon specific authorization of the court. However, it shall be made available by the court for examination

by the applicant's attorney, or the applicant himself or herself, if he or she has no attorney. In its discretion, the court may except from disclosure a part or parts of the report that are not relevant to the granting of a certificate, or sources of information which have been obtained on a promise of confidentiality, or any other portion of the report, disclosure of which would not be in the interest of justice. The action of the court excepting information from disclosure shall be subject to appellate review. The court, in its discretion, may hold a conference in open court or in chambers to afford an applicant an opportunity to controvert or to comment upon any portions of the report. The court may also conduct a summary hearing at the conference on any matter relevant to the granting of the application and may take testimony under oath.

(Source: P.A. 93-207, eff. 1-1-04.)

(730 ILCS 5/5-5.5-25)

Sec. 5-5.5-25. Certificate of good conduct.

(a) A certificate of good conduct may be granted as provided in this Section to relieve an eligible offender of any employment bar as defined in Section 5-5.5-5 of this Code. The certificate may be limited to one or more enumerated disabilities or bars or may relieve the individual of all disabilities and bars.

Notwithstanding any other provision of law, a certificate of good conduct does not relieve an offender of any employment-related disability imposed by law by reason of his or her conviction of a crime that would prevent his or her employment by the Department of Corrections.

(a-5) Notwithstanding any other provision of law, a conviction of a crime or of an offense specified in a certificate of good conduct may not be deemed to be a conviction within the meaning of any provision in Section 8-23 of the Park District Code, Section 16a-5 of the Chicago Park District Act, or Sections 10-21.9 or 34-18.5 of the School Code.

(a-6) ~~(a)~~ A certificate of good conduct may be granted as provided in this Section to an eligible offender as defined in Section 5-5.5-5 of this Code who has demonstrated that he or she has been a law-abiding citizen and is fully rehabilitated.

(b) (i) A certificate of good conduct may not, however, in any way prevent any judicial proceeding, administrative, licensing, or other body, board, or authority from considering the conviction specified in the certificate.

(ii) A certificate of good conduct shall not limit or prevent the introduction of evidence of a prior conviction for purposes of impeachment of a witness in a judicial or other proceeding where otherwise authorized by the applicable rules of evidence.

(Source: P.A. 93-207, eff. 1-1-04.)

(730 ILCS 5/5-5.5-30)

Sec. 5-5.5-30. Issuance of certificate of good conduct.

(a) After clemency-like review has been held, the ~~The~~ Prisoner Review Board, or any 3 members of the Board by unanimous vote, shall have the power to issue a certificate of good conduct to any eligible offender previously convicted of a crime in this State, when the Board is satisfied that:

(1) the applicant has conducted himself or herself in a manner warranting the issuance for a minimum period in accordance with the provisions of subsection (c) of this Section;

(2) the relief to be granted by the certificate is consistent with the rehabilitation of the applicant; and

(3) the relief to be granted is consistent with the public interest.

(b) The Prisoner Review Board, or any 3 members of the Board by unanimous vote, shall have the power to issue a certificate of good conduct to any person previously convicted of a crime in any other jurisdiction, when the Board is satisfied that:

(1) The applicant has demonstrated that there exist specific facts and circumstances and specific sections of Illinois State law that have an adverse impact on the applicant and warrant the application for relief to be made in Illinois; and

(2) the provisions of paragraphs (1), (2), and (3) of subsection (a) of this Section have been met.

(c) The minimum period of good conduct by the individual referred to in paragraph (1) of subsection (a) of this Section, shall be as follows: if the most serious crime of which the individual was convicted is a misdemeanor, the minimum period of good conduct shall be one year; if the most serious crime of which the individual was convicted is a Class 1, 2, 3, or 4 felony, the minimum period of good conduct shall be 3 years. Criminal acts committed outside the State shall be classified as acts committed within the State based on the maximum sentence that could have been imposed based upon the conviction under the laws of the foreign jurisdiction. The minimum period of good conduct by the individual shall be measured either from

the date of the payment of any fine imposed upon him or her, or from the date of his or her release from custody by parole, mandatory supervised release or commutation or termination of his or her sentence. The Board shall have power and it shall be its duty to investigate all persons when the application is made and to grant or deny the same within a reasonable time after the making of the application.

(d) If the Prisoner Review Board has issued a certificate of good conduct, the Board may at any time issue a new certificate enlarging the relief previously granted.

(e) Any certificate of good conduct by the Prisoner Review Board to an individual who at the time of the issuance of the certificate is under the conditions of parole or mandatory supervised release imposed by the Board shall be deemed to be a temporary certificate until the time as the individual is discharged from the terms of parole or mandatory supervised release, and, while temporary, the certificate may be revoked by the Board for violation of the conditions of parole or mandatory supervised release. Revocation shall be upon notice to the parolee or releasee, who shall be accorded an opportunity to explain the violation prior to a decision on the revocation. If the certificate is not so revoked, it shall become a permanent certificate upon expiration or termination of the offender's parole or mandatory supervised release term.

(Source: P.A. 93-207, eff. 1-1-04.)

(730 ILCS 5/5-5.5-55 new)

Sec. 5-5.5-55. Immunity from liability. An employer shall be immune from civil liability for any act or omission committed by a person hired by the employer who has been issued a certificate of good conduct under this Article.

Section 99. Effective date. This Act takes effect June 1, 2007.".

AMENDMENT NO. 3. Amend House Bill 1294, AS AMENDED, with reference to page and line numbers of House Amendment No. 2, on page 9, line 8, by inserting ", except for willful or wanton misconduct" after "Article".

The foregoing motions prevailed and Amendments numbered 2 and 3 were adopted.

There being no further amendments, the foregoing Amendments numbered 2 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1496. Having been reproduced, was taken up and read by title a second time.

Representative Granberg offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1496 by replacing everything after the enacting clause with the following:

"Section 5. The Department of Commerce and Economic Opportunity Law of the Civil Administrative Code of Illinois is amended by adding Section 605-975 as follows:

(20 ILCS 605/605-975 new)

Sec. 605-975. Community database. Subject to appropriation, the Department may create a web-accessible and searchable database containing profiles for municipalities and counties in the State. The database may include relevant labor market information, including information regarding access to transportation, availability of skilled labor, labor costs, properties ready for development, tax rates coupled with State and local incentives, access to telecommunications infrastructure, access to major markets, access to raw materials and suppliers, operating costs, and other data relevant to businesses considering locating in Illinois. Municipalities and counties shall be encouraged to submit data to the Department for entry into the database.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1557. Having been recalled on April 24, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Acevedo offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1557, AS AMENDED, by replacing clause (v) of paragraph (2) of Sec. 3-6-3 of Section 5 with the following:

"(v) that a person serving a sentence for gunrunning, narcotics racketeering, controlled substance trafficking, methamphetamine trafficking, drug-induced homicide, aggravated methamphetamine-related child endangerment, money laundering pursuant to clause (c) (4) or (5) of Section 29B-1 of the Criminal Code of 1961, or a Class X felony conviction for delivery of a controlled substance, possession of a controlled substance with intent to manufacture or deliver, calculated criminal drug conspiracy, criminal drug conspiracy, street gang criminal drug conspiracy, participation in methamphetamine manufacturing, aggravated participation in methamphetamine manufacturing, delivery of methamphetamine, possession with intent to deliver methamphetamine, aggravated delivery of methamphetamine, aggravated possession with intent to deliver methamphetamine, methamphetamine conspiracy when the substance containing the controlled substance or methamphetamine is 100 grams or more shall receive no more than 7.5 days good conduct credit for each month of his or her sentence of imprisonment.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 1728. Having been recalled on April 20, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Joyce offered the following amendment and moved its adoption.

AMENDMENT NO. 2. Amend House Bill 1728, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Health Care Worker Background Check Act is amended by changing Sections 15, 20, 25, 40, 45, 50, 55, and 60 and by adding Section 33 as follows:

(225 ILCS 46/15)

Sec. 15. Definitions. In ~~For the purposes of~~ this Act~~, the following definitions apply~~:

"Applicant" means an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment.

"Conditional offer of employment" means a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of Public Health ~~State Police~~ indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25.

"Direct care" means the provision of nursing care or assistance with feeding, dressing, movement, bathing, toileting, or other personal needs, including home services as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act. The entity responsible for inspecting and licensing, certifying, or registering the health care employer may, by administrative rule, prescribe guidelines for interpreting this definition with regard to the health care employers that it licenses.

"Disqualifying offenses" means those offenses set forth in Section 25 of this Act.

"Employee" means any individual hired, employed, or retained to which this Act applies.

"Fingerprint-based criminal history records check" means a livescan fingerprint-based criminal history records check submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police.

"Health care employer" means:

(1) the owner or licensee of any of the following:

(i) a community living facility, as defined in the Community Living Facilities Act;

(ii) a life care facility, as defined in the Life Care Facilities Act;

(iii) a long-term care facility~~, as defined in the Nursing Home Care Act~~;

(iv) a home health agency, home services agency, or home nursing agency as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;

(v) a ~~comprehensive~~ hospice care program or volunteer hospice program, as defined in the Hospice Program Licensing Act;

(vi) a hospital, as defined in the Hospital Licensing Act;

(vii) (blank); ~~a community residential alternative, as defined in the Community Residential Alternatives Licensing Act;~~

(viii) a nurse agency, as defined in the Nurse Agency Licensing Act;

(ix) a respite care provider, as defined in the Respite Program Act;

(ix-a) an establishment licensed under the Assisted Living and Shared Housing Act;

(x) a supportive living program, as defined in the Illinois Public Aid Code;

(xi) early childhood intervention programs as described in 59 Ill. Adm. Code 121;

(xii) the University of Illinois Hospital, Chicago;

(xiii) programs funded by the Department on Aging through the Community Care Program;

(xiv) programs certified to participate in the Supportive Living Program authorized pursuant to Section 5-5.01a of the Illinois Public Aid Code;

(xv) programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers;

(xvi) locations licensed under the Alternative Health Care Delivery Act;

(2) a day training program certified by the Department of Human Services;

(3) a community integrated living arrangement operated by a community mental health and developmental service agency, as defined in the Community-Integrated Living Arrangements Licensing and Certification Act; or

(4) the State Long Term Care Ombudsman Program, including any regional long term care ombudsman programs under Section 4.04 of the Illinois Act on the Aging, only for the purpose of securing background checks.

"Initiate" means ~~the~~ obtaining ~~of the authorization for a record check~~ from a student, applicant, or employee his or her social security number, demographics, a disclosure statement, and an authorization for the Department of Public Health or its designee to request a fingerprint-based criminal history records check; transmitting this information electronically to the Department of Public Health; conducting Internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or conducting similar searches as defined by rule; and having the student, applicant, or employee's fingerprints collected and transmitted electronically to the Department of State Police. ~~The educational entity or health care employer or its designee shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization.~~

"Livescan vendor" means an entity whose equipment has been certified by the Department of State Police to collect an individual's demographics and inkless fingerprints and, in a manner prescribed by the Department of State Police and the Department of Public Health, electronically transmit the fingerprints and required data to the Department of State Police and a daily file of required data to the Department of Public Health. The Department of Public Health shall negotiate a contract with one or more vendors that effectively demonstrate that the vendor has 2 or more years of experience transmitting fingerprints electronically to the Department of State Police and that the vendor can successfully transmit the required data in a manner prescribed by the Department of Public Health. Vendor authorization may be further defined by administrative rule.

"Long-term care facility" means a facility licensed by the State or certified under federal law as a long-term care facility, including without limitation facilities licensed under the Nursing Home Care Act, a supportive living facility, an assisted living establishment, or a shared housing establishment or registered as a board and care home.

(Source: P.A. 93-878, eff. 1-1-05; 94-379, eff. 1-1-06; 94-570, eff. 8-12-05; 94-665, eff. 1-1-06; revised 8-29-05.)

(225 ILCS 46/20)

Sec. 20. Exceptions. ~~(1)~~ This Act shall not apply to:

(1) ~~(a)~~ an individual who is licensed by the Department of Financial and Professional Regulation or the Department of Public Health under another law of this State;

(2) ~~(b)~~ an individual employed or retained by a health care employer for whom a criminal background check is required by another law of this State; or

(3) ~~(c)~~ a student in a licensed health care field including, but not limited to, a student

nurse, a physical therapy student, or a respiratory care student unless he or she is (i) employed by a health care employer in a position with duties involving direct care for clients, patients, or residents or (ii) employed by a long-term care facility in a position that involves or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents.

~~(2) A UCIA criminal history records check need not be redone by the University of Illinois Hospital, Chicago (U of I) or a program funded by the Department on Aging through the Community Care Program (CCP) if the U of I or the CCP: (i) has done a UCIA check on the individual; (ii) has continuously employed the individual since the UCIA criminal records check was done; and (iii) has taken actions with respect to this Act within 12 months after the effective date of this amendatory Act of the 91st General Assembly.~~

(Source: P.A. 91-598, eff. 1-1-00.)

(225 ILCS 46/25)

Sec. 25. Persons ineligible to be hired by health care employers and long-term care facilities.

(a) In the discretion of the Director of Public Health, as soon after ~~After~~ January 1, 1996, January 1, 1997, January 1, 2006, or October 1, 2007 ~~or the effective date of this amendatory Act of the 94th General Assembly~~, as applicable, and as is reasonably practical, no health care employer shall knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses defined in Sections 8-1.1, 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-6, 11-9.1, 11-9.5, 11-19.2, 11-20.1, 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13, 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-21, 12-21.6, 12-32, 12-33, 16-1, 16-1.3, 16A-3, 17-3, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3, 19-4, 20-1, 20-1.1, 24-1, 24-1.2, 24-1.5, or 33A-2 of the Criminal Code of 1961; those provided in Section 4 of the Wrongs to Children Act; those provided in Section 53 of the Criminal Jurisprudence Act; those defined in Section 5, 5.1, 5.2, 7, or 9 of the Cannabis Control Act; those defined in the Methamphetamine Control and Community Protection Act; or those defined in Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the Illinois Controlled Substances Act, unless the applicant or employee obtains a waiver pursuant to Section 40.

(a-1) In the discretion of the Director of Public Health, as soon after ~~After~~ January 1, 2004 or October 1, 2007, as applicable, and as is reasonably practical, no health care employer shall knowingly hire any individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility shall knowingly hire any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has (i) been convicted of committing or attempting to commit one or more of the offenses defined in Section 12-3.3, 12-4.2-5, 16-2, 16G-15, 16G-20, 18-5, 20-1.2, 24-1.1, 24-1.2-5, 24-1.6, 24-3.2, or 24-3.3 of the Criminal Code of 1961; Section 4, 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card Act; or Section 5.1 of the Wrongs to Children Act; or (ii) violated Section 10-5 of the Nursing and Advanced Practice Nursing Act, unless the applicant or employee obtains a waiver pursuant to Section 40 of this Act.

~~A UCIA criminal history record check need not be redone for health care employees who have been continuously employed by a health care employer since January 1, 2004, but nothing in this Section prohibits a health care employer from initiating a criminal history check for these employees.~~

A health care employer is not required to retain an individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility is required to retain an individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses enumerated in this subsection.

(b) A health care employer shall not hire, employ, or retain any individual in a position with duties involving direct care of clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in subsection (a) or (a-1), as verified by court records, records from a state agency, or an FBI criminal history record check, unless the applicant or employee obtains a waiver pursuant to Section 40 of this Act. This shall not be

construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided.

(Source: P.A. 93-224, eff. 7-18-03; 94-556, eff. 9-11-05; 94-665, eff. 1-1-06; 94-1053, eff. 7-24-06.)

(225 ILCS 46/33 new)

Sec. 33. Fingerprint-based criminal history records check.

(a) A fingerprint-based criminal history records check is not required for health care employees who have been continuously employed by a health care employer since October 1, 2007, have met the requirements for criminal history background checks prior to October 1, 2007, and have no disqualifying convictions or requested and received a waiver of those disqualifying convictions. These employees shall be retained on the Health Care Worker Registry as long as they remain active. Nothing in this subsection (a) shall be construed to prohibit a health care employer from initiating a criminal history records check for these employees. Should these employees seek a new position with a different health care employer, then a fingerprint-based criminal history records check shall be required.

(b) On October 1, 2007 or as soon thereafter as is reasonably practical, in the discretion of the Director of Public Health, and thereafter, any student, applicant, or employee who desires to be included on the Department of Public Health's Health Care Worker Registry must authorize the Department of Public Health or its designee to request a fingerprint-based criminal history records check to determine if the individual has a conviction for a disqualifying offense. This authorization shall allow the Department of Public Health to request and receive information and assistance from any State or local governmental agency. Each individual shall submit his or her fingerprints to the Department of State Police in an electronic format that complies with the form and manner for requesting and furnishing criminal history record information prescribed by the Department of State Police. The fingerprints submitted under this Section shall be checked against the fingerprint records now and hereafter filed in the Department of State Police criminal history record databases. The Department of State Police shall charge a fee for conducting the criminal history records check, which shall not exceed the actual cost of the records check. The livescan vendor may act as the designee for individuals, educational entities, or health care employers in the collection of Department of State Police fees and deposit those fees into the State Police Services Fund. The Department of State Police shall provide information concerning any criminal convictions, now or hereafter filed, against the individual.

(c) On October 1, 2007 or as soon thereafter as is reasonably practical, in the discretion of the Director of Public Health, and thereafter, an educational entity, other than a secondary school, conducting a nurse aide training program must initiate a fingerprint-based criminal history records check requested by the Department of Public Health prior to entry of an individual into the training program.

(d) On October 1, 2007 or as soon thereafter as is reasonably practical, in the discretion of the Director of Public Health, and thereafter, a health care employer who makes a conditional offer of employment to an applicant for a position as an employee must initiate a fingerprint-based criminal history record check, requested by the Department of Public Health, on the applicant, if such a background check has not been previously conducted.

(e) When initiating a background check requested by the Department of Public Health, an educational entity or health care employer shall electronically submit to the Department of Public Health the student's, applicant's, or employee's social security number, demographics, disclosure, and authorization information in a format prescribed by the Department of Public Health within 2 working days after the authorization is secured. The student, applicant, or employee must have his or her fingerprints collected electronically and transmitted to the Department of State Police within 10 working days. The educational entity or health care employer must transmit all necessary information and fees to the livescan vendor and Department of State Police within 10 working days after receipt of the authorization. This information and the results of the criminal history record checks shall be maintained by the Department of Public Health's Health Care Worker Registry.

(f) A direct care employer may initiate a fingerprint-based background check requested by the Department of Public Health for any of its employees, but may not use this process to initiate background checks for residents. The results of any fingerprint-based background check that is initiated with the Department as the requestor shall be entered in the Health Care Worker Registry.

(g) As long as the employee has had a fingerprint-based criminal history record check requested by the Department of Public Health and stays active on the Health Care Worker Registry, no further criminal history record checks shall be deemed necessary, as the Department of State Police shall notify the Department of Public Health of any additional convictions associated with the fingerprints previously submitted. Health care employers are required to check the Health Care Worker Registry before hiring an

employee to determine that the individual has had a fingerprint-based record check requested by the Department of Public Health and has no disqualifying convictions or has been granted a waiver pursuant to Section 40 of this Act. If the individual has not had such a background check or is not active on the Health Care Worker Registry, then the health care employer must initiate a fingerprint-based record check requested by the Department of Public Health. If an individual is inactive on the Health Care Worker Registry, that individual is prohibited from being hired to work as a certified nurse aide if, since the individual's most recent completion of a competency test, there has been a period of 24 consecutive months during which the individual has not provided nursing or nursing-related services for pay. If the individual can provide proof of having retained his or her certification by not having a 24 consecutive month break in service for pay, he or she may be hired as a certified nurse aide and that employment information shall be entered into the Health Care Worker Registry.

(h) On October 1, 2007 or as soon thereafter as is reasonably practical, in the discretion of the Director of Public Health, and thereafter, if the Department of State Police notifies the Department of Public Health that an employee has a new conviction of a disqualifying offense, based upon the fingerprints that were previously submitted, then (i) the Health Care Worker Registry shall notify the employee's last known employer of the offense, (ii) a record of the employee's disqualifying offense shall be entered on the Health Care Worker Registry, and (iii) the individual shall no longer be eligible to work as an employee unless he or she obtains a waiver pursuant to Section 40 of this Act.

(i) On October 1, 2007, or as soon thereafter, in the discretion of the Director of Public Health, as is reasonably practical, and thereafter, each direct care employer or its designee must provide an employment verification for each employee no less than annually. The direct care employer or its designee must log into the Health Care Worker Registry through a secure login. The health care employer or its designee must indicate employment and termination dates within 30 days after hiring or terminating an employee, as well as the employment category and type. Failure to comply with this subsection (i) constitutes a licensing violation. For health care employers that are not licensed or certified, a fine of up to $500 may be imposed for failure to maintain these records. This information shall be used by the Department of Public Health to notify the last known employer of any disqualifying offenses that are reported by the Department of State Police.

(j) The Department of Public Health shall notify each health care employer or long-term care facility inquiring as to the information on the Health Care Worker Registry if the applicant or employee listed on the registry has a disqualifying offense and is therefore ineligible to work or has a waiver pursuant to Section 40 of this Act.

(k) The student, applicant, or employee must be notified of each the following whenever a fingerprint-based criminal history records check is required:

(1) That the educational entity, health care employer, or long-term care facility shall initiate a fingerprint-based criminal history record check requested by the Department of Public Health of the student, applicant, or employee pursuant to this Act.

(2) That the student, applicant, or employee has a right to obtain a copy of the criminal records report that indicates a conviction for a disqualifying offense and challenge the accuracy and completeness of the report through an established Department of State Police procedure of Access and Review.

(3) That the applicant, if hired conditionally, may be terminated if the criminal records report indicates that the applicant has a record of a conviction of any of the criminal offenses enumerated in Section 25, unless the applicant obtains a waiver pursuant to Section 40 of this Act.

(4) That the applicant, if not hired conditionally, shall not be hired if the criminal records report indicates that the applicant has a record of a conviction of any of the criminal offenses enumerated in Section 25, unless the applicant obtains a waiver pursuant to Section 40 of this Act.

(5) That the employee shall be terminated if the criminal records report indicates that the employee has a record of a conviction of any of the criminal offenses enumerated in Section 25.

(6) If, after the employee has originally been determined not to have disqualifying offenses, the employer is notified that the employee has a new conviction(s) of any of the criminal offenses enumerated in Section 25, then the employee shall be terminated.

(l) A health care employer or long-term care facility may conditionally employ an applicant for up to 3 months pending the results of a fingerprint-based criminal history record check requested by the Department of Public Health.

(m) The Department of Public Health or an entity responsible for inspecting, licensing, certifying, or registering the health care employer or long-term care facility shall be immune from liability for notices given based on the results of a fingerprint-based criminal history record check.

(225 ILCS 46/40)

Sec. 40. Waiver.

(a) Any student, applicant, or employee listed on the Health Care Worker Registry ~~An applicant, employee, or nurse aide~~ may request a waiver of the prohibition against employment by ~~submitting the following information to the entity responsible for inspecting, licensing, certifying, or registering the health care employer within 5 working days after the receipt of the criminal records report~~:

(1) completing a waiver application on a form prescribed by the Department of Public Health; ~~Information necessary to initiate a fingerprint based UCIA criminal records check in a form and manner prescribed by the Department of State Police; and~~

(2) providing a written explanation of each conviction to include (i) what happened, (ii) how many years have passed since the offense, (iii) the individuals involved, (iv) the age of the applicant at the time of the offense, and (v) any other circumstances surrounding the offense; and

(3) providing official documentation showing that all fines have been paid, if applicable, and the date probation or parole was satisfactorily completed, if applicable. ~~The fee for a fingerprint based UCIA criminal records check, which shall not exceed the actual cost of the record check.~~

~~(a-5) The entity responsible for inspecting, licensing, certifying, or registering the health care employer may accept the results of the fingerprint based UCIA criminal records check instead of the items required by paragraphs (1) and (2) of subsection (a).~~

(b) The applicant may, but is not required to, submit employment and character references and any other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, patients, or clients. ~~The entity responsible for inspecting, licensing, certifying, or registering the health care employer may grant a waiver based upon any mitigating circumstances, which may include, but need not be limited to:~~

~~(1) The age of the individual at which the crime was committed;~~

~~(2) The circumstances surrounding the crime;~~

~~(3) The length of time since the conviction;~~

~~(4) The applicant or employee's criminal history since the conviction;~~

~~(5) The applicant or employee's work history;~~

~~(6) The applicant or employee's current employment references;~~

~~(7) The applicant or employee's character references;~~

~~(8) Nurse aide registry records; and~~

~~(9) Other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, patients, or clients.~~

(c) The Department of Public Health ~~entity responsible for inspecting, licensing, certifying, or registering a health care employer must inform the health care employer~~ must inform health care employers if a waiver is being sought by entering a record on the Health Care Worker Registry that a waiver is pending and must act upon the waiver request within 30 days of receipt of all necessary information, as defined by rule. Except in cases where a rehabilitation waiver is granted, a letter shall be sent to the applicant notifying the applicant that he or she has received an automatic waiver.

(d) An individual shall not be employed from the time that the employer receives a notification from the Department of Public Health based upon the results of a fingerprint-based criminal history records ~~non-fingerprint~~ check containing disqualifying conditions until the time that the individual receives a waiver ~~from the Department. If the individual challenges the results of the non-fingerprint check, the employer may continue to employ the individual if the individual presents convincing evidence to the employer that the non-fingerprint check is invalid. If the individual challenges the results of the non-fingerprint check, his or her identity shall be validated by a fingerprint-based records check in accordance with Section 35~~.

(e) The entity responsible for inspecting, licensing, certifying, or registering the health care employer and the Department of Public Health shall be immune from liability for any waivers granted under this Section.

(f) A health care employer is not obligated to employ or offer permanent employment to an applicant, or to retain an employee who is granted a waiver under this Section.

(Source: P.A. 94-665, eff. 1-1-06.)

(225 ILCS 46/45)

Sec. 45. Application fees. Except as otherwise provided in this Act, the student, applicant, or employee, other than a nurse aide, may be required to pay all related application and fingerprinting fees including, but

not limited to, the amounts established ~~by the UCIA to conduct UCIA criminal history record checks and the amounts established~~ by the Department of State Police to process fingerprint-based ~~UCIA~~ criminal history records checks. If a health care employer certified to participate in the Medicaid program pays the fees, the fees shall be a direct pass-through on the cost report submitted by the employer to the Medicaid agency.

(Source: P.A. 89-197, eff. 7-21-95.)

(225 ILCS 46/50)

Sec. 50. Health care employer files. The health care employer shall retain on file for a period of 5 years records of criminal records requests for all employees. The health care employer shall retain a copy of the disclosure and authorization forms, a copy of the livescan request form, all notifications resulting from the ~~results of the UCIA~~ fingerprint-based criminal history records check and waiver, if appropriate, for the duration of the individual's employment. The files shall be subject to inspection by the agency responsible for inspecting, licensing, or certifying the health care employer. A fine of up to $500 may be imposed by the appropriate agency for failure to maintain these records. The Department of Public Health must keep an electronic record of criminal history background checks for an individual for as long as the individual remains active on the Health Care Worker Registry.

(Source: P.A. 89-197, eff. 7-21-95; 89-674, eff. 8-14-96.)

(225 ILCS 46/55)

Sec. 55. Immunity from liability. A health care employer shall not be liable for the failure to hire or to retain an applicant or employee who has been convicted of committing or attempting to commit one or more of the offenses enumerated in subsection (a) of Section 25 of this Act. However, if an employee ~~a health care worker~~ is suspended from employment based on the results of a criminal background check conducted under this Act and the results prompting the suspension are subsequently found to be inaccurate, the employee ~~health care worker~~ is entitled to recover backpay from his or her health care employer for the suspension period provided that the employer is the cause of the inaccuracy. The Department of Public Health is not liable for any hiring decisions, suspensions, or terminations.

No health care employer shall be chargeable for any benefit charges that result from the payment of unemployment benefits to any claimant when the claimant's separation from that employer occurred because the claimant's criminal background included an offense enumerated in subsection (a) of Section 25, or the claimant's separation from that health care employer occurred as a result of the claimant violating a policy that the employer was required to maintain pursuant to the Drug Free Workplace Act.

(Source: P.A. 90-441, eff. 1-1-98; 91-598, eff. 1-1-00.)

(225 ILCS 46/60)

Sec. 60. Offense.

(a) Any person whose profession is job counseling who knowingly counsels any person who has been convicted of committing or attempting to commit any of the offenses enumerated in subsection (a) of Section 25 to apply for a position with duties involving direct contact with a client, patient, or resident of a health care employer or a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents of a long-term care facility shall be guilty of a Class A misdemeanor unless a waiver is granted pursuant to Section 40 of this Act.

(b) Subsection (a) does not apply to an individual performing official duties in connection with the administration of the State employment service described in Section 1705 of the Unemployment Insurance Act.

(Source: P.A. 91-598, eff. 1-1-00.)

(225 ILCS 46/25.1 rep.) (225 ILCS 46/30 rep.) (225 ILCS 46/35 rep.)

Section 10. The Health Care Worker Background Check Act is amended by repealing Sections 25.1, 30, and 35.

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendment No. 2 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 1797. Having been recalled on April 20, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Osterman offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1797 by replacing everything after the enacting clause with the following:

"Section 5. The Condominium Property Act is amended by changing Section 30 as follows:

(765 ILCS 605/30) (from Ch. 30, par. 330)

Sec. 30. Conversion condominiums; notice; recording.

(a)(1) No real estate may be submitted to the provisions of the Act as a conversion condominium unless (i) a notice of intent to submit the real estate to this Act (notice of intent) has been given to all persons who were tenants of the building located on the real estate on the date the notice is given. Such notice shall be given at least 30 days, and not more than 1 year prior to the recording of the declaration which submits the real estate to this Act; and (ii) the developer executes and acknowledges a certificate which shall be attached to and made a part of the declaration and which provides that the developer, prior to the execution by him or his agent of any agreement for the sale of a unit, has given a copy of the notice of intent to all persons who were tenants of the building located on the real estate on the date the notice of intent was given.

(a)(2) If the owner fails to provide a tenant with notice of the intent to convert as defined in this Section, the tenant permanently vacates the premises as a direct result of non-renewal of his or her lease by the owner, and the tenant's unit is converted to a condominium by the filing of a declaration submitting a property to this Act without having provided the required notice, then the owner is liable to the tenant for the following:

(A) the tenant's actual moving expenses incurred when moving from the subject property, not to exceed $1,500;

(B) three month's rent at the subject property; and

(C) reasonable attorney's fees and court costs.

(b) Any developer of a conversion condominium must, upon issuing the notice of intent, publish and deliver along with such notice of intent, a schedule of selling prices for all units subject to the condominium instruments and offer to sell such unit to the current tenants, except for units to be vacated for rehabilitation subsequent to such notice of intent. Such offer shall not expire earlier than 30 days after receipt of the offer by the current tenant, unless the tenant notifies the developer in writing of his election not to purchase the condominium unit.

(c) Any tenant who was a tenant as of the date of the notice of intent and whose tenancy expires (other than for cause) prior to the expiration of 120 days from the date on which a copy of the notice of intent was given to the tenant shall have the right to extend his tenancy on the same terms and conditions and for the same rental until the expiration of such 120 day period by the giving of written notice thereof to the developer within 30 days of the date upon which a copy of the notice of intent was given to the tenant by the developer.

(d) Each lessee in a conversion condominium shall be informed by the developer at the time the notice of intent is given whether his tenancy will be renewed or terminated upon its expiration. If the tenancy is to be renewed, the tenant shall be informed of all charges, rental or otherwise, in connection with the new tenancy and the length of the term of occupancy proposed in conjunction therewith.

(e) For a period of 120 days following his receipt of the notice of intent, any tenant who was a tenant on the date the notice of intent was given shall be given the right to purchase his unit on substantially the same terms and conditions as set forth in a duly executed contract to purchase the unit, which contract shall conspicuously disclose the existence of, and shall be subject to, the right of first refusal. The tenant may exercise the right of first refusal by giving notice thereof to the developer prior to the expiration of 30 days from the giving of notice by the developer to the tenant of the execution of the contract to purchase the unit. The tenant may exercise such right of first refusal within 30 days from the giving of notice by the developer of the execution of a contract to purchase the unit, notwithstanding the expiration of the 120 day period following the tenant's receipt of the notice of intent, if such contract was executed prior to the expiration of the 120 day period. The recording of the deed conveying the unit to the purchaser which contains a statement to the effect that the tenant of the unit either waived or failed to exercise the right of first refusal or option or had no right of first refusal or option with respect to the unit shall extinguish any legal or equitable right or interest to the possession or acquisition of the unit which the tenant may have or claim with respect to the unit arising out of the right of first refusal or option provided for in this Section. The foregoing provision shall not affect any claim which the tenant may have against the landlord for damages arising out of the right of first refusal provided for in this Section.

(f) During the 30 day period after the giving of notice of an executed contract in which the tenant may exercise the right of first refusal, the developer shall grant to such tenant access to any portion of the building to inspect any of its features or systems and access to any reports, warranties, or other documents in the possession of the developer which reasonably pertain to the condition of the building. Such access shall be subject to reasonable limitations, including as to hours. The refusal of the developer to grant such access is a business offense punishable by a fine of $500. Each refusal to an individual lessee who is a potential purchaser is a separate violation.

(g) Any notice provided for in this Section shall be deemed given when a written notice is delivered in person or mailed, certified or registered mail, return receipt requested to the party who is being given the notice.

(h) Prior to their initial sale, units offered for sale in a conversion condominium and occupied by a tenant at the time of the offer shall be shown to prospective purchasers only a reasonable number of times and at appropriate hours. Units may only be shown to prospective purchasers during the last 90 days of any expiring tenancy.

(i) Any provision in any lease or other rental agreement, or any termination of occupancy on account of condominium conversion, not authorized herein, or contrary to or waiving the foregoing provisions, shall be deemed to be void as against public policy.

(j) A tenant is entitled to injunctive relief to enforce the provisions of subsections (a) and (c) of this Section.

(k) A non-profit housing organization, suing on behalf of an aggrieved tenant under this Section, may also recover compensation for reasonable attorney's fees and court costs necessary for filing such action.

(l) Nothing in this Section shall affect any provision in any lease or rental agreement in effect before this Act becomes law.

(m) ~~(b)~~ Nothing in this amendatory Act of 1978 shall be construed to imply that there was previously a requirement to record the notice provided for in this Section ~~subsection (a)~~.
(Source: P.A. 88-417.)".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 2734. Having been reproduced, was taken up and read by title a second time.

Floor Amendments numbered 1 and 2 were withdrawn in the Committee on Rules.

Representative Jefferies offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 2734 by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Drug School Act.

Section 5. Findings; purpose. The General Assembly finds as follows:

(1) One of the many objectives of the Illinois criminal justice system is individual rehabilitation.

(2) The incarceration of nonviolent drug offenders with families breaks the family unit.

(3) The recidivism rate of nonviolent drug offenders in Illinois is 53%.

(4) Nonviolent drug offenders are in need of alternatives to incarceration such as counseling and treatment.

(5) Drug addiction is recognized as a health issue around the country.

(6) The Cook County State's Attorney drug school program has a success rate of over 85%.

(7) The State of Illinois spends $22,607 on one adult incarceration.

(8) The State of Illinois will save more than $17,000,000 if treatment programs are offered in lieu of incarceration.

The purpose of this Act is to establish, subject to appropriation, a drug school program for nonviolent drug offenders statewide modeled after the Cook County State's Attorney drug school program.

Section 10. Definition. As used in this Act, "drug school" means a drug intervention and education

program established and administered by the State's Attorney's Office of a particular county as an alternative to traditional prosecution. A drug school shall include, but not be limited to, the following core components:

(1) No less than 10 and no more than 20 hours of drug education delivered by an organization licensed, certified or otherwise authorized by the Illinois Department of Human Services, Division of Alcoholism and Substance Abuse to provide treatment, intervention, education or other such services. This education is to be delivered at least once per week at a class of no less than one hour and no greater than 4 hours, and with a class size no larger than 40 individuals.

(2) Curriculum designed to present the harmful effects of drug use on the individual, family and community, including the relationship between drug use and criminal behavior, as well as instruction regarding the application procedure for the sealing and expungement of records of arrest and any other record of the proceedings of the case for which the individual was mandated to attend the drug school.

(3) Education regarding the practical consequences of conviction and continued justice involvement. Such consequences of drug use will include the negative physiological, psychological, societal, familial, and legal areas. Additionally, the practical limitations imposed by a drug conviction on one's vocational, educational, financial, and residential options will be addressed.

(4) A process for monitoring and reporting attendance such that the State's Attorney in the county where the drug school is being operated is informed of class attendance no more than 48 hours after each class.

(5) A process for capturing data on drug school participants, including but not limited to total individuals served, demographics of those individuals, rates of attendance, and frequency of future justice involvement for drug school participants and other data as may be required by the Division of Alcoholism and Substance Abuse.

Section 15. Authorization.

(a) Each State's Attorney may establish a drug school operated under the terms of this Act. The purpose of the drug school shall be to provide an alternative to prosecution by identifying drug-involved individuals for the purpose of intervening with their drug use before their criminal involvement becomes severe. The State's Attorney shall identify criteria to be used in determining eligibility for the drug school. Only those participants who successfully complete the requirements of the drug school, as certified by the State's Attorney, are eligible to apply for the sealing and expungement of records of arrest and any other record of the proceedings of the case for which the individual was mandated to attend the drug school.

(b) A State's Attorney seeking to establish a drug school may apply to the Division of Alcoholism and Substance Abuse of the Illinois Department of Human Services ("DASA") for funding to establish and operate a drug school within his or her respective county. Nothing in this subsection shall prevent State's Attorneys from establishing drug schools within their counties without funding from DASA.

(c) Nothing in this Act shall prevent 2 or more State's Attorneys from applying jointly for funding as provided in subsection (b) for the purpose of establishing a drug school that serves multiple counties.

(d) Drug schools established through funding from DASA shall operate according to the guidelines established thereby and the provisions of this Act.

Section 20. Eligibility.

(a) The State's Attorney, alone, in each county where a drug school is established shall have the authority to determine which individuals, who would otherwise be prosecuted under the relevant provisions of Illinois law, may be eligible to participate in the drug school in lieu of prosecution.

(b) A defendant may be admitted into drug school only upon the agreement of the prosecutor and the defendant.

Section 25. Process.

(a) The State's Attorney, alone, in each county where a drug school is established shall determine who is eligible to participate in the drug school in lieu of prosecution. Considerations in making such a determination shall include the crime committed, the circumstances of the crime or of the individual under consideration, and whether or not the State's Attorney believes that the individual would benefit from participation in the drug school.

(b) The judge shall inform the defendant that if the defendant fails to meet the conditions of drug school, eligibility to participate in the program may be revoked and the defendant may be prosecuted under the criminal laws of this State and sentenced as provided in the Unified Code of Corrections for the crime charged.

(c) The defendant shall execute a written agreement as to his or her participation in the drug school

program and shall agree to all of the terms and conditions of the program, including but not limited to the possibility of prosecution for the crime charged for failing to abide or comply with the terms of the drug school program or for any arrest incurred subsequent to entry into the drug school program.

Section 30. Successful completion. If an individual is certified by the State's Attorney that he or she has successfully completed the terms of the drug school, the State's Attorney shall waive prosecution for the immediate offense and discharge the case.

Section 35. Violations. Upon a violation of the any of the terms of the drug school, the State's Attorney may proceed with prosecution as otherwise authorized under law.

Section 40. Appropriations to DASA.

(a) Moneys shall be appropriated to DASA to enable DASA (i) to contract with Cook County, and (ii) counties other than Cook County to reimburse for services delivered in those counties under the county Drug School program.

(b) DASA shall establish rules and procedures for reimbursements paid to the Cook County Treasurer which are not subject to county appropriation and are not intended to supplant monies currently expended by Cook County to operate its drug school program. Cook County is required to maintain its efforts with regard to its drug school program.

(c) Expenditure of moneys under this Section is subject to audit by the Auditor General.

(d) In addition to reporting required by DASA, State's Attorneys receiving monies under this Section shall each report separately to the General Assembly by January 1, 2008 and each and every following January 1 for as long as the services are in existence, detailing the need for continued services and contain any suggestions for changes to this Act.".

The foregoing motion prevailed and Amendment No. 3 was adopted.

There being no further amendments, the foregoing Amendment No. 3 was ordered engrossed; and the bill, as amended, was to the order of Third Reading.

HOUSE BILL 3649. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 3649, on page 5, line 18, by replacing "(6)" with "(4)"; and

on page 9, by replacing lines 14 through 19 with the following:

"licensee is permitted to conduct pull tabs and jar games. The Department may, on special application made by a licensed organization, issue a special permit to conduct a single pull tabs or jar games event at another location. A special permit shall be displayed at the site of any pull tabs or jar games authorized by such permit."; and

by deleting line 21 on page 9 through line 5 on page 10; and

on page 30, line 18, after the period, by inserting ""Bingo equipment" does not include electronic equipment."; and

on page 41, line 8, by replacing "(6)" with "(7) or (8)"; and

on page 51, by replacing lines 8 through 11 with the following:

"buildings thereon."; and

on page 62, line 14, by replacing "providers"' with "supplier's"; and

on page 63, by replacing lines 20 through 23 with the following:

"equipment. The supplier shall file a quarterly return with the Department listing all sales or leases for such quarter and"; and

on page 68, by replacing lines 24 and 25 with the following:

"or noncash prizes. Each participant shall sign".

Floor Amendment No. 2 was withdrawn in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1798. Having been read by title a second time on April 24, 2007, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

HOUSE BILL 1956. Having been recalled on March 29, 2007, and held on the order of Second Reading, the same was again taken up.

Representative John Bradley offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1956 by replacing everything after the enacting clause with the following:

"Section 5. The Methamphetamine Precursor Control Act is amended by changing Sections 10, 25, 40, 45, and 55 and by adding Sections 36, 37, 38, 39, and 39.5 as follows:

(720 ILCS 648/10)

Sec. 10. Definitions. In this Act:

"Administer" or "administration" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Agent" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Authorized representative" means an employee or agent of a qualified outside entity who has been authorized in writing by his or her agency or office to receive confidential information from the database associated with the Williamson County Pilot Program.

"Central Repository" means the entity chosen by the Williamson County Pilot Program Authority to handle electronic transaction records as described in Sections 36, 37, 38, 39, and 39.5 of this Act.

"Convenience package" means any package that contains 360 milligrams or less of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in liquid or liquid-filled capsule form.

"Covered pharmacy" means any pharmacy that distributes any amount of targeted methamphetamine precursor and that is physically located in any of the following Illinois counties: Franklin, Jackson, Johnson, Saline, Union, or Williamson.

"Deliver" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Dispense" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Distribute" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Electronic transaction record" means, with respect to the distribution of a targeted methamphetamine precursor by a pharmacy to a recipient under Section 25 of this Act, an electronic record that includes: the name and address of the recipient; date and time of the transaction; brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers; identification type and identification number of the identification presented by the recipient; and the name and address of the pharmacy.

"Identification information" means identification type and identification number.

"Identification number" means the number that appears on the identification furnished by the recipient of a targeted methamphetamine precursor.

"Identification type" means the type of identification furnished by the recipient of a targeted methamphetamine precursor such as, by way of example only, an Illinois driver's license or United States passport.

"List I chemical" has the meaning provided in 21 U.S.C. Section 802.

"Methamphetamine precursor" has the meaning provided in Section 10 of the Methamphetamine Control and Community Protection Act.

"Methamphetamine Precursor Violation Alert" means a notice sent by the Pilot Program Authority to pharmacies, retail distributors, or law enforcement authorities as described in subsection (h) of Section 39.5 of this Act.

"Non-covered pharmacy" means any pharmacy that is not a covered pharmacy.

"Package" means an item packaged and marked for retail sale that is not designed to be further broken down or subdivided for the purpose of retail sale.

"Pharmacist" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Pharmacy" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Practitioner" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescriber" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Prescription" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Qualified outside entity" means a law enforcement agency or prosecutor's office with authority to identify, investigate, or prosecute violations of this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance, or a public entity that operates a methamphetamine precursor tracking program similar in purpose to the Williamson County Pilot Program.

"Readily retrievable" has the meaning provided in 21 C.F.R. part 1300.

"Recipient" means a person purchasing, receiving, or otherwise acquiring a targeted methamphetamine precursor from a pharmacy in Illinois, as described in Section 25 of this Act.

"Reporting start date" means the date on which covered pharmacies begin transmitting electronic transaction records and exempt pharmacies begin sending handwritten logs, as described in subsection (b) of Section 39 of this Act.

"Retail distributor" means a grocery store, general merchandise store, drug store, other merchandise store, or other entity or person whose activities as a distributor relating to drug products containing targeted methamphetamine precursor are limited exclusively or almost exclusively to sales for personal use by an ultimate user, both in number of sales and volume of sales, either directly to walk-in customers or in face-to-face transactions by direct sales.

"Sales employee" means any employee or agent, other than a pharmacist or pharmacy technician ~~who works exclusively or almost exclusively behind a pharmacy counter,~~ who at any time (a) operates a cash register at which convenience ~~targeted~~ packages may be sold, (b) stocks shelves containing convenience ~~targeted~~ packages, or (c) trains or supervises any other employee or agent who engages in any of the preceding activities.

"Single retail transaction" means a sale by a retail distributor to a specific customer at a specific time.

"Targeted methamphetamine precursor" means any compound, mixture, or preparation that contains any detectable quantity of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

"Targeted package" means a package, including a convenience package, containing any amount of targeted methamphetamine precursor.

"Ultimate user" has the meaning provided in Section 102 of the Illinois Controlled Substances Act.

"Williamson County Pilot Program" or "Pilot Program" means the program described in Sections 36, 37, 38, 39, and 39.5 of this Act.

"Williamson County Pilot Program Authority" or "Pilot Program Authority" means the Williamson County Sheriff's Office or its employees or agents.

"Voluntary participant" means any pharmacy that, although not required by law to do so, participates in the Williamson County Pilot Program.

(Source: P.A. 94-694, eff. 1-15-06; 94-830, eff. 6-5-06.)

(720 ILCS 648/25)

Sec. 25. Pharmacies.

(a) No targeted methamphetamine precursor may be knowingly distributed through a pharmacy, including a pharmacy located within, owned by, operated by, or associated with a retail distributor unless all terms of this Section are satisfied.

(b) Any targeted methamphetamine precursor other than a convenience package or a liquid, including but not limited to any targeted methamphetamine precursor in liquid-filled capsules, shall: be packaged in blister packs, with each blister containing not more than 2 dosage units, or when the use of blister packs is technically infeasible, in unit dose packets. Each targeted package shall contain no more than 3,000 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

(c) The targeted methamphetamine precursor shall be stored behind the pharmacy counter and distributed by a pharmacist or pharmacy technician licensed under the Pharmacy Practice Act of 1987.

(d) Any retail distributor operating a pharmacy, and any pharmacist or pharmacy technician involved in the transaction or transactions, shall ensure that any person purchasing, receiving, or otherwise acquiring the targeted methamphetamine precursor complies with subsection (a) of Section 20 of this Act.

(e) Any retail distributor operating a pharmacy, and any pharmacist or pharmacy technician involved in the transaction or transactions, shall verify that:

(1) The person purchasing, receiving, or otherwise acquiring the targeted methamphetamine precursor is 18 years of age or older and resembles the photograph of the person on the government-issued identification presented by the person; and

(2) The name entered into the log referred to in subsection (a) of Section 20 of this Act corresponds to the name on the government-issued identification presented by the person.

(f) The logs referred to in subsection (a) of Section 20 of this Act shall be kept confidential, maintained for not less than 2 years, and made available for inspection and copying by any law enforcement officer upon request of that officer. These logs may be kept in an electronic format if they include all the information specified in subsection (a) of Section 20 of this Act in a manner that is readily retrievable and reproducible in hard-copy format. Pharmacies covered by the Williamson County Pilot Program described in Sections 36, 37, 38, 39, and 39.5 of this Act are required to transmit electronic transaction records or handwritten logs to the Pilot Program Authority in the manner described in those Sections.

(g) No retail distributor operating a pharmacy, and no pharmacist or pharmacy technician, shall knowingly distribute any targeted methamphetamine precursor to any person under 18 years of age.

(h) No retail distributor operating a pharmacy, and no pharmacist or pharmacy technician, shall knowingly distribute to a single person more than 2 targeted packages in a single retail transaction.

(i) No retail distributor operating a pharmacy, and no pharmacist or pharmacy technician, shall knowingly distribute to a single person in any 30-day period products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers.

(j) A pharmacist or pharmacy technician may distribute a targeted methamphetamine precursor to a person who is without a form of identification specified in paragraph (1) of subsection (a) of Section 20 of this Act only if all other provisions of this Act are followed and either:

(1) the person presents a driver's license issued without a photograph by the State of Illinois pursuant to the Illinois Administrative Code, Title 92, Section 1030.90(b)(1) or 1030.90(b)(2); or

(2) the person is known to the pharmacist or pharmacy technician, the person presents some form of identification, and the pharmacist or pharmacy technician reasonably believes that the targeted methamphetamine precursor will be used for a legitimate medical purpose and not to manufacture methamphetamine.

(k) When a pharmacist or pharmacy technician distributes a targeted methamphetamine precursor to a person according to the procedures set forth in this Act, and the pharmacist or pharmacy technician does not have access to a working cash register at the pharmacy counter, the pharmacist or pharmacy technician may instruct the person to pay for the targeted methamphetamine precursor at a cash register located elsewhere in the retail establishment, whether that register is operated by a pharmacist, pharmacy technician, or other employee or agent of the retail establishment.

(Source: P.A. 94-694, eff. 1-15-06; 94-830, eff. 6-5-06.)

(720 ILCS 648/36 new)

Sec. 36. Williamson County Pilot Program; general provisions.

(a) Purposes. The purposes of this Section are: to establish a pilot program based in Williamson County to track purchases of targeted methamphetamine precursors at multiple locations; to identify persons obtaining or distributing targeted methamphetamine precursors for the likely purpose of manufacturing methamphetamine; to starve methamphetamine manufacturers of the methamphetamine precursors they need to make methamphetamine; to locate and shut down methamphetamine laboratories; and ultimately to reduce the harm that methamphetamine manufacturing and manufacturers are inflicting on individuals, families, communities, first responders, the economy, and the environment in Illinois and beyond. In authorizing this pilot program, the General Assembly recognizes that, although this Act has significantly reduced the number of methamphetamine laboratories in Illinois, some persons continue to violate the Act, evade detection, and support the manufacture of methamphetamine by obtaining targeted methamphetamine precursor at multiple locations. The General Assembly further recognizes that putting an end to this practice and others like it will require an effort to track purchases of targeted methamphetamine precursor across multiple locations, and that a pilot program based in Williamson County will advance this important goal.

(b) Structure.

(1) There is established a pilot program based in Williamson County, known as the Williamson County Pilot Program or Pilot Program, to track purchases of targeted methamphetamine precursor across multiple locations for the purposes stated in subsection (a) of this Section.

(2) The Pilot Program shall be operated by the Williamson County Sheriff's Office, also known as the Williamson County Pilot Program Authority or the Pilot Program Authority, in accordance with the provisions of Sections 36, 37, 38, 39, and 39.5 of this Act.

(3) The Pilot Program Authority shall designate a Central Repository for the collection of required information, and the Central Repository shall operate according to the provisions of Sections 36, 37, 38, 39, and 39.5 of this Act.

(4) Every covered pharmacy shall participate in the Pilot Program, and any non-covered pharmacy may participate on a voluntary basis and be known as a voluntary participant.

(c) Transmission of electronic transaction records. Except as provided in Section 39:

(1) Each time a covered pharmacy distributes a targeted methamphetamine precursor to a recipient under Section 25 of this Act, the covered pharmacy shall transmit an electronic transaction record to the Central Repository.

(2) Each covered pharmacy shall elect to transmit electronic transaction records either through the secure website described in Section 37 of this Act or through weekly electronic transfers as described in Section 38 of this Act.

(d) Operation and Timeline for implementation.

(1) Except as stated in this subsection, this amendatory Act of the 95th General Assembly shall be operational upon becoming law.

(2) Covered pharmacies are not required to transmit any electronic transaction records and exempt pharmacies are not required to send any handwritten logs to the Central Repository until the reporting start date set by the Pilot Program Authority.

(3) The Pilot Program Authority shall announce the "reporting start date" within 90 days of the date this legislation is signed into law.

(4) The reporting start date shall be no sooner than 90 days after the date on which the Pilot Program Authority announces the reporting start date.

(5) Starting on the reporting start date, and continuing for a period of one year thereafter, covered pharmacies shall transmit electronic transaction records as described in Sections 37 and 38 of this Act, and exempt pharmacies shall send handwritten logs as described in Section 39 of this Act.

(6) Nothing in this Act shall preclude covered pharmacies and exempt pharmacies from voluntarily participating in the Pilot Program before the start date or continuing to participate in the Pilot Program after one year after the reporting start date.

(e) Funding. Funding for the Pilot Program shall be provided by the Williamson County Pilot Program Authority, drawing upon federal grant money and other available sources. If funding is delayed, curtailed, or otherwise unavailable, the Pilot Program Authority may delay implementation of the Pilot Program, reduce the number of counties covered by the Pilot Program, or end the Pilot Program early. If any such change becomes necessary, the Pilot Program Authority shall inform every covered pharmacy in writing.

(f) Training. The Pilot Program Authority shall provide, free of charge, training and assistance to any pharmacy playing any role in the Pilot Program.

(g) Relationship between the Williamson County Pilot Program and other laws and rules. Nothing in Sections 36, 37, 38, 39, and 39.5 of this Act shall supersede, nullify, or diminish the force of any requirement stated in any other Section of this Act or in any other State or federal law or rule.

(720 ILCS 648/37 new)

Sec. 37. Williamson County Pilot Program; secure website.

(a) Transmission of electronic transaction records through a secure website; in general.

(1) The Pilot Program Authority shall establish a secure website for the transmission of electronic transaction records and electronic signatures and make it available free of charge to any covered pharmacy that elects to use it.

(2) The secure website shall enable any covered pharmacy to transmit to the Central Repository an electronic transaction record and an electronic signature each time the pharmacy distributes a targeted methamphetamine precursor to a recipient under Section 25 of this Act.

(3) If the secure website becomes unavailable to a covered pharmacy, the covered pharmacy may, during the period in which the secure website is not available, continue to distribute targeted methamphetamine precursor without using the secure website if, during this period, the covered pharmacy maintains and transmits handwritten logs as described in subsection (b) of Section 39 of this Act.

(b) Assistance to covered pharmacies using the secure website.

(1) The purpose of this subsection is to ensure that participation in the Pilot Program does not impose substantial costs on covered pharmacies that elect to transmit electronic transaction records to the Central Repository by means of the secure website.

(2) If a covered pharmacy that elects to transmit electronic transaction records by means of the secure website does not have computer hardware or software or related equipment sufficient to make use of the secure website, then the covered pharmacy may obtain and install such hardware or software or related equipment at its own cost, or it may request assistance from the Pilot Program Authority, or some combination of the 2.

(3) If a covered pharmacy requests such assistance, then the Pilot Program Authority shall, free of charge, provide and install any computer hardware or software or related equipment needed.

(4) Nothing in this subsection shall preclude the Pilot Program Authority from providing additional or other assistance to any pharmacy or retail distributor.

(c) Any covered pharmacy that elects to transmit electronic transaction records by means of the secure website described in this Section may use the secure website as its exclusive means of complying with subsections (d) and (f) of Section 25 of this Act, provided that, along with each electronic transaction record, the pharmacy also transmits an electronically-captured signature of the recipient of the targeted methamphetamine precursor. To facilitate this option, the Pilot Program shall do the following:

(1) The Pilot Program Authority shall provide to any covered pharmacy that requests it an electronic signature pad or other means of electronic signature capture.

(2) The Pilot Program Authority shall provide the covered pharmacy with an official letter indicating that:

(A) The covered pharmacy in question is participating in the Williamson County Pilot Program for a specified period of time.

(B) During the specified period of time, the Pilot Program Authority has assumed responsibility for maintaining the logs described in subsection (f) of Section 25 of this Act.

(C) Any law enforcement officer seeking to inspect or copy the covered pharmacy's logs should direct the request to the Pilot Program Authority through means described in the letter.

(720 ILCS 648/38 new)

Sec. 38. Williamson County Pilot Program; weekly electronic transfer.

(a) Weekly electronic transfer; in general.

(1) Any covered pharmacy may elect not to use the secure website but instead to transmit electronic transaction records by means of weekly electronic transfers as described in this Section.

(2) Any covered pharmacy electing to transmit electronic transaction records by means of weekly electronic transfers shall transmit the records by means of a computer diskette, a magnetic tape, or an electronic device compatible with the receiving device of the Central Repository.

(b) Weekly electronic transfer; timing.

(1) Any covered pharmacy electing to transmit electronic transaction records by means of weekly electronic transfers shall select a standard weeklong reporting period such as, by way of example only, the 7-day period that begins immediately after midnight Monday morning and lasts until immediately before midnight the next Sunday night.

(2) Electronic transaction records for transactions occurring during the standard weeklong reporting period selected by the pharmacy shall be transmitted to the Central Repository no later than 24 hours after each standard weeklong reporting period ends.

(3) Electronic transaction records may be delivered to the Central Repository in person, by messenger, through the United States Postal Service, over the Internet, or by other reasonably reliable and prompt means.

(4) Although electronic transaction records shall be transmitted to the Central Repository no later than one day after the end of a weeklong reporting period, it is not required that the electronic transaction records be received by that deadline.

(c) Weekly electronic transfer; form of data. Each electronic transaction record transmitted shall contain the following information in the form described:

(1) The recipient's (A) first name, (B) last name, (C) street address, and (D) zip code, in the 4 separate data fields listed (A) through (D).

(2) The (A) date and (B) time of the transaction, in the 2 separate data fields listed (A) and (B).

(3) One of the following:

(A) The (1) brand and product name and (2) total quantity in milligrams distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers, in the 2 separate data fields listed (1) and (2);

(B) The National Drug Code (NDC) number corresponding to the product distributed, from which may be determined the brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers; or

(C) A company-specific code, akin to the National Drug Code, from which may be determined the brand and product name and total quantity distributed of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers, along with information sufficient to translate any company-specific codes into the brand and product name and total quantity distributed of ephedrine or

pseudoephedrine, their salts, or optical isomers, or salts of optical isomers.

(4) One of the following:

(A) The identification type presented by the recipient; or

(B) A code for the identification type presented by the recipient, along with information sufficient to translate any such code into the actual identification type presented by the recipient.

(5) The identification number presented by the recipient.

(6) One of the following:

(A) The (1) name, (2) street address, and (3) zip code of the covered pharmacy, in 3 separate data fields (1) through (3);

(B) The Drug Enforcement Administration (DEA) number of the individual covered pharmacy, from which may be determined the name, street address, and zip code of the covered pharmacy; or

(C) A company-specific code, akin to the Drug Enforcement Administration number, from which may be determined the name, street address, and zip code of the covered pharmacy, along with information sufficient to translate any company-specific codes into the name, street address, and zip code of the covered pharmacy.

(720 ILCS 648/39 new)

Sec. 39. Williamson County Pilot Program; exempt pharmacies.

(a) When a covered pharmacy is exempt. A covered pharmacy is exempt from the requirement that it transmit electronic transaction records to the Central Repository through the secure website described in Section 37 or weekly electronic transfers described in Section 38 of this Act if all of the following conditions are satisfied:

(1) The covered pharmacy:

(A) Submits to the Pilot Program Authority a written request for such an exemption;

(B) Has complied with Section 25 of this Act by maintaining handwritten rather than electronic logs during the 60-day period preceding the date the written request is transmitted;

(C) Has not sold more than 20 targeted packages in any 7-day period during the 60-day period preceding the date the written request is transmitted; and

(D) Provides, along with the written request, copies of handwritten logs covering the 60-day period preceding the written request; and

(2) The Pilot Program Authority:

(A) Reviews the written request;

(B) Verifies that the covered pharmacy has complied with Section 25 of this Act by maintaining handwritten rather than electronic logs during the 60-day period preceding the date the written request is transmitted;

(C) Verifies that the covered pharmacy has not sold more than 20 targeted packages in any 7-day period during the 60-day period preceding the date the written request is transmitted; and

(D) Sends the covered pharmacy a letter stating that the covered pharmacy is exempt from the requirement that it transmit electronic transaction records to the Central Repository.

(b) Obligations of an exempt pharmacy.

(1) A pharmacy that is exempt from the requirement that it transmit electronic transaction records to the Central Repository shall instead transmit copies, and retain the originals, of handwritten logs.

(2) An exempt covered pharmacy shall transmit copies of handwritten logs to the Central Repository in person, by facsimile, through the United States Postal Service, or by other reasonably reliable and prompt means.

(3) An exempt covered pharmacy shall transmit copies of handwritten logs on a weekly basis as described in subsection (b) of Section 38 of this Act.

(720 ILCS 648/39.5 new)

Sec. 39.5. Williamson County Pilot Program; confidentiality of records.

(a) The Pilot Program Authority shall delete each electronic transaction record and handwritten log entry 24 months after the date of the transaction it describes.

(b) The Pilot Program Authority and Central Repository shall carry out a program to protect the confidentiality of electronic transaction records and handwritten log entries transmitted pursuant to Sections 36, 37, 38, and 39 of this Act. The Pilot Program Authority and Central Repository shall ensure that this information remains completely confidential except as specifically provided in subsections (c) through (i) of this Section. Except as provided in subsections (c) through (i) of this Section, this information is strictly prohibited from disclosure.

(c) Any employee or agent of the Central Repository may have access to electronic transaction records

and handwritten log entries solely for the purpose of receiving, processing, storing or analyzing this information.

(d) Any employee or agent of the Pilot Program Authority may have access to electronic transaction records or handwritten log entries solely for the purpose of identifying, investigating, or prosecuting violations of this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance.

(e) The Pilot Program Authority may release electronic transaction records or handwritten log entries to the authorized representative of a qualified outside entity only if all of the following conditions are satisfied:

(1) The Pilot Program Authority verifies that the entity receiving electronic transaction records or handwritten log entries is a qualified outside entity as defined in this Act.

(2) The Pilot Program Authority verifies that the person receiving electronic transaction records or handwritten log entries is an authorized representative, as defined in this Act, of the qualified outside entity.

(3) The qualified outside entity agrees in writing, or has previously agreed in writing, that it will use electronic transaction records and handwritten log entries solely for the purpose of identifying, investigating, or prosecuting violations of this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance.

(4) The qualified outside entity does not have a history known to the Pilot Program Authority of violating this agreement or similar agreements or of breaching the confidentiality of sensitive information.

(f) The Pilot Program Authority may release to a particular covered pharmacy or voluntary participant any electronic transaction records or handwritten log entries previously submitted by that particular covered pharmacy or voluntary participant.

(g) The Pilot Program Authority may release to a particular recipient any electronic transaction records clearly relating to that recipient, upon sufficient proof of identity.

(h) The Pilot Program Authority may distribute Methamphetamine Precursor Violation Alerts only if all of the following conditions are satisfied:

(1) The Pilot Program Authority has reason to believe that one or more recipients have violated or are violating this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance.

(2) Based on this information, the Pilot Program Authority distributes a Methamphetamine Precursor Violation Alert that may contain any of the following confidential information:

(A) With respect to any recipient whom it is believed has violated, has attempted to violate, or is violating this Act or any other State or federal law or rule involving a methamphetamine precursor, methamphetamine, or any other controlled substance:

(i) Any name he or she has used to purchase or attempt to purchase methamphetamine precursor;

(ii) Any address he or she has listed when purchasing or attempting to purchase any targeted methamphetamine precursor; and

(iii) Any identification information he or she has used to purchase or attempt to purchase methamphetamine precursor.

(B) With respect to any transaction in which the recipient is believed to have purchased methamphetamine precursor:

(i) The date and time of the transaction or attempt;

(ii) The city or town and state in which the transaction or attempt occurred; and

(iii) The total quantity received of ephedrine or pseudoephedrine, their salts, or optical isomers, or salts of optical isomers.

(3) Methamphetamine Precursor Violation Alerts shall not include, with respect of any transaction in which the recipient is believed to have purchased or attempted to purchase methamphetamine precursor:

(A) The name or street address of the pharmacy where the transaction or attempt took place, other than the city or town and state where the pharmacy is located; or

(B) The brand and product name of the item received.

(4) Methamphetamine Precursor Violation Alerts may be distributed to pharmacies, retail distributors, and law enforcement agencies. When such alerts are distributed to law enforcement agencies, it shall not be necessary to follow the procedures described in subsection (d) of this Section.

(5) When distributing Methamphetamine Precursor Violation Alerts, the Pilot Program Authority shall instruct those receiving the alerts that they are intended only for pharmacies, retail distributors, and law enforcement authorities, and that such alerts should otherwise be kept confidential.

(i) The Pilot Program Authority may release general statistical information to any person or entity

provided that the statistics do not include any information that identifies any individual recipient or pharmacy by name, address, identification number, Drug Enforcement Administration number, or other means.

(720 ILCS 648/40)

Sec. 40. Penalties.

(a) Violations of subsection (b) of Section 20 of this Act.

(1) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class B misdemeanor;

(B) 15,000 or more but less than 22,500 milligrams, Class A misdemeanor;

(C) 22,500 or more but less than 30,000 milligrams, Class 4 felony;

(D) 30,000 or more but less than 37,500 milligrams, Class 3 felony;

(E) 37,500 or more but less than 45,000 milligrams, Class 2 felony:

(F) 45,000 or more milligrams, Class 1 felony.

(2) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act, and who has previously been convicted of any methamphetamine-related offense under any State or federal law, is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class A misdemeanor;

(B) 15,000 or more but less than 22,500 milligrams, Class 4 felony;

(C) 22,500 or more but less than 30,000 milligrams, Class 3 felony;

(D) 30,000 or more but less than 37,500 milligrams, Class 2 felony;

(E) 37,500 or more milligrams, Class 1 felony.

(3) Any person who knowingly purchases, receives, or otherwise acquires, within any 30-day period, products containing more than a total of 7,500 milligrams of ephedrine or pseudoephedrine, their salts or optical isomers, or salts of optical isomers in violation of subsection (b) of Section 20 of this Act, and who has previously been convicted 2 or more times of any methamphetamine-related offense under State or federal law, is subject to the following penalties:

(A) More than 7,500 milligrams but less than 15,000 milligrams, Class 4 felony;

(B) 15,000 or more but less than 22,500 milligrams, Class 3 felony;

(C) 22,500 or more but less than 30,000 milligrams, Class 2 felony;

(D) 30,000 or more milligrams, Class 1 felony.

(b) Violations of Section 15, 20, 25, 30, or 35 of this Act, other than violations of subsection (b) of Section 20 of this Act.

(1) ~~(a)~~ Any pharmacy or retail distributor that violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, ~~this Act~~ is guilty of a petty offense and subject to a fine of $500 for a first offense; and $1,000 for a second offense occurring at the same retail location as and within 3 years of the prior offense. A pharmacy or retail distributor that violates this Act is guilty of a business offense and subject to a fine of $5,000 for a third or subsequent offense occurring at the same retail location as and within 3 years of the prior offenses.

(2) ~~(b)~~ An employee or agent of a pharmacy or retail distributor who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, ~~this Act~~ is guilty of a Class A misdemeanor for a first offense, a Class 4 felony for a second offense, and a Class 1 felony for a third or subsequent offense.

(3) ~~(c)~~ Any other person who violates Section 15, 20, 25, 30, or 35 of this Act, other than subsection (b) of Section 20 of this Act, ~~this Act~~ is guilty of a Class B misdemeanor for a first offense, a Class A misdemeanor for a second offense, and a Class 4 felony for a third or subsequent offense.

(c) Any pharmacy or retail distributor that violates Section 36, 37, 38, 39, or 39.5 of this Act is guilty of a petty offense and subject to a fine of $100 for a first offense, $250 for a second offense, or $500 for a third or subsequent offense.

(d) Any person that violates Section 39.5 of this Act is guilty of a Class B misdemeanor for a first offense, a Class A misdemeanor for a second offense, and a Class 4 felony for a third offense.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/45)

Sec. 45. Immunity from civil liability. In the event that any agent or employee of a pharmacy or retail distributor reports to any law enforcement officer or agency any suspicious activity concerning a targeted methamphetamine precursor or other methamphetamine ingredient or ingredients, or participates in the Williamson County Pilot Program as provided in Sections 36, 37, 38, 39, and 39.5 of this Act, the agent or employee and the pharmacy or retail distributor itself are immune from civil liability based on allegations of defamation, libel, slander, false arrest, or malicious prosecution, or similar allegations, except in cases of willful or wanton misconduct.

(Source: P.A. 94-694, eff. 1-15-06.)

(720 ILCS 648/55)

Sec. 55. Preemption and home rule powers.

(a) Except as provided in subsection (b) of this Section and in Sections 36, 37, 38, 39, and 39.5 of this Act, a county or municipality, including a home rule unit, may regulate the sale of targeted methamphetamine precursor and targeted packages in a manner that is not more or less restrictive than the regulation by the State under this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of the powers and functions exercised by the State.

(b) Any regulation of the sale of targeted methamphetamine precursor and targeted packages by a home rule unit that took effect on or before May 1, 2004, is exempt from the provisions of subsection (a) of this Section.

(Source: P.A. 94-694, eff. 1-15-06.)

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 876. Having been recalled on April 24, 2007, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

Having been reproduced, the following bills were taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3382.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2184.

HOUSE BILL 1696. Having been reproduced, was taken up and read by title a second time.

Representative Molaro offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1696 on page 4, line 12, by replacing "Department" with "local law enforcement agency"; and

on page 4, line 13, by inserting after the period the following:

"For the purposes of this Section, "local law enforcement agency" means the office of the county sheriff of the county where the owner of the lost or stolen firearm resides or the municipal police department of the municipality where the owner of the lost or stolen firearm resides."; and

on page 4, line 23, by replacing "Department of State Police" with "local law enforcement agency"; and

on page 4, line 24, by inserting after the period the following:

"For the purposes of this Section, "local law enforcement agency" means the office of the county sheriff of the county where the owner of the lost or stolen firearm resides or the municipal police department of the municipality where the owner of the lost or stolen firearm resides.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 928. Having been reproduced, was taken up and read by title a second time.

Representative Hoffman offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 928 on page 7, line 3 by changing "conclusively" to "rebuttably"; and
on page 7, line 5 by changing "conclusively" to "rebuttably"; and
on page 7, line 14 by inserting after the period the following:
"The Finding and Decision of the Illinois Workers' Compensation Commission under this subsection shall not be admissible or be deemed res judicata in any disability claim under the Pension Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392."; and
on page 14, line 6 by changing "conclusively" to "rebuttably"; and
on page 14, line 8 by changing "conclusively" to "rebuttably"; and
on page 14, line 17 by inserting after the period the following:
"The Finding and Decision of the Illinois Workers' Compensation Commission under this paragraph shall not be admissible or be deemed res judicata in any disability claim under the Pension Code arising out of the same medical condition; however, this sentence makes no change to the law set forth in Krohe v. City of Bloomington, 204 Ill.2d 392.".

Floor Amendment No. 2 remained in the Committee on Rules.

Representative Hoffman offered the following amendment and moved its adoption:

AMENDMENT NO. 3. Amend House Bill 928, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 8, by inserting after "under" the following:
"only the rebuttable presumption provision of"; and
on page 1, line 9, by inserting "Illinois" after "the"; and
on page 2, line 6, by inserting after "under" the following:
"only the rebuttable presumption provision of"; and
on page 2, line 7, by inserting "Illinois" after "the".

The foregoing motions prevailed and Amendments numbered 1 and 3 were adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 3 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 693. Having been read by title a second time on April 25, 2007, and held on the order of Second Reading, the same was again taken up.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced.

AMENDMENT NO. 1. Amend House Bill 693 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 10-20.12b as follows:

(105 ILCS 5/10-20.12b)

Sec. 10-20.12b. Residency; payment of tuition; hearing; criminal penalty.

(a) For purposes of this Section:

(1) The residence of a person who has legal custody of a pupil is deemed to be the residence of the pupil.

(2) "Legal custody" means one of the following:

(i) Custody exercised by a natural or adoptive parent with whom the pupil resides.

(ii) Custody granted by order of a court of competent jurisdiction to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.

(iii) Custody exercised under a statutory short-term guardianship, provided that within 60 days of the pupil's enrollment a court order is entered that establishes a permanent guardianship and grants custody to a person with whom the pupil resides for reasons other than to have access to the educational programs of the district.

(iv) Custody exercised by an adult caretaker relative who is receiving aid under the Illinois Public Aid Code for the pupil who resides with that adult caretaker relative for purposes other than to have access to the educational programs of the district.

(v) Custody exercised by an adult who demonstrates that, in fact, he or she has assumed and exercises legal responsibility for the pupil and provides the pupil with a regular fixed night-time abode for purposes other than to have access to the educational programs of the district. A court order of guardianship is not required to establish legal custody under this item (v).

(a-3) A school district must require an adult claiming custody under item (v) of subdivision (2) of subsection (a) of this Section to complete and sign an Attestation of Enrollment and Residency, developed by the State Board of Education, prior to enrollment of the pupil.

(a-5) If a pupil's change of residence is due to the military service obligation of a person who has legal custody of the pupil, then, upon the written request of the person having legal custody of the pupil, the residence of the pupil is deemed for all purposes relating to enrollment (including tuition, fees, and costs), for the duration of the custodian's military service obligation, to be the same as the residence of the pupil immediately before the change of residence caused by the military service obligation. A school district is not responsible for providing transportation to or from school for a pupil whose residence is determined under this subsection (a-5). School districts shall facilitate re-enrollment when necessary to comply with this subsection (a-5).

(a-10) Nothing in this Section precludes a school district from conducting a reasonable and appropriate investigation and evaluation of facts relevant to the issue of residency of a pupil for school attendance purposes.

(b) Except as otherwise provided under Section 10-22.5a, only resident pupils of a school district may attend the schools of the district without payment of the tuition required to be charged under Section 10-20.12a. However, children for whom the Guardianship Administrator of the Department of Children and Family Services has been appointed temporary custodian or guardian of the person of a child shall not be charged tuition as a nonresident pupil if the child was placed by the Department of Children and Family Services with a foster parent or placed in another type of child care facility and the foster parent or child care facility is located in a school district other than the child's former school district and it is determined by the Department of Children and Family Services to be in the child's best interest to maintain attendance at his or her former school district.

(c) The provisions of this subsection do not apply in school districts having a population of 500,000 or more. If a school board in a school district with a population of less than 500,000 determines that a pupil who is attending school in the district on a tuition free basis is a nonresident of the district for whom tuition is required to be charged under Section 10-20.12a, the board shall notify the person who enrolled the pupil of the amount of the tuition charged under Section 10-20.12a that is due to the district for the nonresident pupil's attendance in the district's schools. The notice shall be given by certified mail, return receipt requested. Within 10 days after receipt of the notice, the person who enrolled the pupil may request a hearing to review the determination of the school board. The request shall be sent by certified mail, return receipt requested, to the district superintendent. Within 10 days after receipt of the request, the board shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing, which shall be held not less than 10 nor more than 20 days after the notice of hearing is given. The board or a hearing officer designated by the board shall conduct the hearing. The regional superintendent of schools shall compile and make available to the school board a list of hearing officers. The board and the person who enrolled the pupil may be represented at the hearing by representatives of their choice. At the hearing, the person who enrolled the pupil shall have the burden of going forward with the evidence concerning the pupil's residency. If the hearing is conducted by a hearing officer, the hearing officer, within 5 days after the conclusion of the hearing, shall send a written report of his or her findings by certified mail, return receipt requested, to the school board and to the person who enrolled the pupil. The person who enrolled the pupil may, within 5 days after receiving the findings, file written objections to the

findings with the school board by sending the objections by certified mail, return receipt requested, addressed to the district superintendent. Whether the hearing is conducted by the school board or a hearing officer, the school board shall, within 15 days after the conclusion of the hearing, decide whether or not the pupil is a resident of the district and the amount of any tuition required to be charged under Section 10-20.12a as a result of the pupil's attendance in the schools of the district. The school board shall send a copy of its decision to the person who enrolled the pupil, and the decision of the school board shall be final.

(c-5) The provisions of this subsection apply only in school districts having a population of 500,000 or more. If the board of education of a school district with a population of 500,000 or more determines that a pupil who is attending school in the district on a tuition free basis is a nonresident of the district for whom tuition is required to be charged under Section 10-20.12a, the board shall notify the person who enrolled the pupil of the amount of the tuition charged under Section 10-20.12a that is due to the district for the nonresident pupil's attendance in the district's schools. The notice shall be given by certified mail, return receipt requested. Within 10 days after receipt of the notice, the person who enrolled the pupil may request a hearing to review the determination of the school board. The request shall be sent by certified mail, return receipt requested, to the district superintendent. Within 30 days after receipt of the request, the board shall notify, by certified mail, return receipt requested, the person requesting the hearing of the time and place of the hearing, which shall be held not less than 10 nor more than 30 days after the notice of hearing is given. The board or a hearing officer designated by the board shall conduct the hearing. <u>The State Board of Education shall compile and make available to the school board a list of hearing officers.</u> The board and the person who enrolled the pupil may each be represented at the hearing by a representative of their choice. At the hearing, the person who enrolled the pupil shall have the burden of going forward with the evidence concerning the pupil's residency. If the hearing is conducted by a hearing officer, the hearing officer, within 20 days after the conclusion of the hearing, shall serve a written report of his or her findings by personal service or by certified mail, return receipt requested, to the school board and to the person who enrolled the pupil. The person who enrolled the pupil may, within 10 days after receiving the findings, file written objections to the findings with the board of education by sending the objections by certified mail, return receipt requested, addressed to the general superintendent of schools. If the hearing is conducted by the board of education, the board shall, within 45 days after the conclusion of the hearing, decide whether or not the pupil is a resident of the district and the amount of any tuition required to be charged under Section 10-20.12a as a result of the pupil's attendance in the schools of the district. If the hearing is conducted by a hearing officer, the board of education shall, within 45 days after the receipt of the hearing officer's findings, decide whether or not the pupil is a resident of the district and the amount of any tuition required to be charged under Section 10-20.12a as a result of the pupil's attendance in the schools of the district. The board of education shall send, by certified mail, return receipt requested, a copy of its decision to the person who enrolled the pupil, and the decision of the board shall be final.

(d) If a hearing is requested under subsection (c) or (c-5) to review the determination of the school board or board of education that a nonresident pupil is attending the schools of the district without payment of the tuition required to be charged under Section 10-20.12a, the pupil may, at the request of a person who enrolled the pupil, continue attendance at the schools of the district pending a final decision of the board following the hearing. However, attendance of that pupil in the schools of the district as authorized by this subsection (d) shall not relieve any person who enrolled the pupil of the obligation to pay the tuition charged for that attendance under Section 10-20.12a if the final decision of the board is that the pupil is a nonresident of the district. If a pupil is determined to be a nonresident of the district for whom tuition is required to be charged pursuant to this Section, the board shall refuse to permit the pupil to continue attending the schools of the district unless the required tuition is paid for the pupil.

(e) Except for a pupil referred to in subsection (b) of Section 10-22.5a, a pupil referred to in Section 10-20.12a, or a pupil referred to in subsection (b) of this Section, a person who knowingly enrolls or attempts to enroll in the schools of a school district on a tuition free basis a pupil known by that person to be a nonresident of the district shall be guilty of a Class C misdemeanor.

(f) A person who knowingly or wilfully presents to any school district any false information regarding the residency of a pupil for the purpose of enabling that pupil to attend any school in that district without the payment of a nonresident tuition charge shall be guilty of a Class C misdemeanor.

(g) The provisions of this Section are subject to the provisions of the Education for Homeless Children Act. Nothing in this Section shall be construed to apply to or require the payment of tuition by a parent or guardian of a "homeless child" (as that term is defined in Section 1-5 of the Education for Homeless Children Act) in connection with or as a result of the homeless child's continued education or enrollment in a school that is chosen in accordance with any of the options provided in Section 1-10 of that Act.

(Source: P.A. 94-309, eff. 7-25-05.)

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.

Section 99. Effective date. This Act takes effect upon becoming law.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 1338. Having been reproduced, was taken up and read by title a second time.

Representative Flowers offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1338 on page 1, lines 4 and 5, by replacing "Sections 10-20.40 and" with "Section"; and

on page 1, by deleting lines 6 through 11.

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2995. Having been reproduced, was taken up and read by title a second time.

Representative Saviano offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2995 by replacing everything after the enacting clause with the following:

"Section 5. The Gasoline Storage Act is amended by changing Section 2 as follows:

(430 ILCS 15/2) (from Ch. 127 1/2, par. 154)

Sec. 2. Jurisdiction; regulation of tanks.

(1) (a) Except as otherwise provided in this Act, the jurisdiction of the Office of the State Fire Marshal under this Act shall be concurrent with that of municipalities and other political subdivisions. The Office of the State Fire Marshal has power to promulgate, pursuant to the Illinois Administrative Procedure Act, reasonable rules and regulations governing the keeping, storage, transportation, sale or use of gasoline and volatile oils. Nothing in this Act shall relieve any person, corporation, or other entity from complying with any zoning ordinance of a municipality or home rule unit enacted pursuant to Section 11-13-1 of the Illinois Municipal Code or any ordinance enacted pursuant to Section 11-8-4 of the Illinois Municipal Code.

(b) The rulemaking power shall include the power to promulgate rules providing for the issuance and revocation of permits allowing the self service dispensing of motor fuels as such term is defined in the Motor Fuel Tax Law in retail service stations or any other place of business where motor fuels are dispensed into the fuel tanks of motor vehicles, internal combustion engines or portable containers. Such rules shall specify the requirements that must be met both prior and subsequent to the issuance of such permits in order to insure the safety and welfare of the general public. The operation of such service stations without a permit shall be unlawful. The Office of the State Fire Marshal shall revoke such permit if the self service operation of such a service station is found to pose a significant risk to the safety and welfare of the general public.

(c) However, except in any county with a population of 1,000,000 or more, the Office of the State Fire Marshal shall not have the authority to prohibit the operation of a service station solely on the basis that it is an unattended self-service station which utilizes key or card operated self-service motor fuel dispensing devices. Nothing in this paragraph shall prohibit the Office of the State Fire Marshal from adopting reasonable rules and regulations governing the safety of self-service motor fuel dispensing devices.

(d) The State Fire Marshal shall not prohibit the dispensing or delivery of flammable or combustible motor vehicle fuels directly into the fuel tanks of vehicles from tank trucks, tank wagons, or other portable tanks. The State Fire Marshal shall adopt rules (i) for the issuance of permits for the dispensing of motor

vehicle fuels in the manner described in this paragraph (d), (ii) that establish fees for permits and inspections, and provide for those fees to be deposited into the Fire Prevention Fund, (iii) that require the dispensing of motor fuel in the manner described in this paragraph (d) to meet conditions consistent with nationally recognized standards such as those of the National Fire Protection Association, and (iv) that restrict the dispensing of motor vehicle fuels in the manner described in this paragraph (d) to the following:

(A) agriculture sites for agricultural purposes,

(B) construction sites for refueling construction equipment used at the construction site,

(C) sites used for the parking, operation, or maintenance of a commercial vehicle fleet, but only if the site is located in Cook, Lake, McHenry, Kane, DuPage, Will, Kankakee, Grundy, Kendall, Dekalb, Boone, Ogle, or Winnebago county ~~a county with 3,000,000 or more inhabitants or a county contiguous to a county with 3,000,000 or more inhabitants~~ and the site is not normally accessible to the public, and

(D) sites used for the refueling of police, fire, or emergency medical services vehicles or other vehicles that are owned, leased, or operated by (or operated under contract with) the State, a unit of local government, or a school district, or any agency of the State and that are not normally accessible to the public.

(2) (a) The Office of the State Fire Marshal shall adopt rules and regulations regarding underground storage tanks and associated piping and no municipality or other political subdivision shall adopt or enforce any ordinances or regulations regarding such underground tanks and piping other than those which are identical to the rules and regulations of the Office of the State Fire Marshal. It is declared to be the law of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the establishment and enforcement of standards regarding underground storage tanks and associated piping within the jurisdiction of the Office of the State Fire Marshal is an exclusive State function which may not be exercised concurrently by a home rule unit except as expressly permitted in this Act.

(b) The Office of the State Fire Marshal may enter into written contracts with municipalities of over 500,000 in population to enforce the rules and regulations adopted under this subsection.

(3) (a) The Office of the State Fire Marshal shall have authority over underground storage tanks which contain, have contained, or are designed to contain petroleum, hazardous substances and regulated substances as those terms are used in Subtitle I of the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616), as amended by the Superfund Amendments and Reauthorization Act of 1986 (P.L. 99-499). The Office shall have the power with regard to underground storage tanks to require any person who tests, installs, repairs, replaces, relines, or removes any underground storage tank system containing, formerly containing, or which is designed to contain petroleum or other regulated substances, to obtain a permit to install, repair, replace, reline, or remove the particular tank system, and to pay a fee set by the Office for a permit to install, repair, replace, reline, upgrade, test, or remove any portion of an underground storage tank system. All persons who do repairs above grade level for themselves need not pay a fee or be certified. All fees received by the Office from certification and permits shall be deposited in the Fire Prevention Fund for the exclusive use of the Office in administering the Underground Storage Tank program.

(b) (i) Within 120 days after the promulgation of regulations or amendments thereto by the Administrator of the United States Environmental Protection Agency to implement Section 9003 of Subtitle I of the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616) of the Resource Conservation and Recovery Act of 1976 (P.L. 94-580 ~~95-580~~), as amended, the Office of the State Fire Marshal shall adopt regulations or amendments thereto which are identical in substance. The rulemaking provisions of Section 5-35 of the Illinois Administrative Procedure Act shall not apply to regulations or amendments thereto adopted pursuant to this subparagraph (i).

(ii) The Office of the State Fire Marshal may adopt additional regulations relating to an underground storage tank program that are not inconsistent with and at least as stringent as Section 9003 of Subtitle I of the Hazardous and Solid Waste Amendments of 1984 (P.L. 98-616) of the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), as amended, or regulations adopted thereunder. Except as provided otherwise in subparagraph (i) of this paragraph (b), the Office of the State Fire Marshal shall not adopt regulations relating to corrective action at underground storage tanks. Regulations adopted pursuant to this subsection shall be adopted in accordance with the procedures for rulemaking in Section 5-35 of the Illinois Administrative Procedure Act.

(c) The Office of the State Fire Marshal shall require any person, corporation or other entity who tests an underground tank or its piping or cathodic protection for another to report the results of such test to the Office.

(d) In accordance with constitutional limitations, the Office shall have authority to enter at all reasonable times upon any private or public property for the purpose of:

(i) Inspecting and investigating to ascertain possible violations of this Act, of regulations thereunder or of permits or terms or conditions thereof; or

(ii) In accordance with the provisions of this Act, taking whatever emergency action, that is necessary or appropriate, to assure that the public health or safety is not threatened whenever there is a release or a substantial threat of a release of petroleum or a regulated substance from an underground storage tank.

(e) The Office of the State Fire Marshal may issue an Administrative Order to any person who it reasonably believes has violated the rules and regulations governing underground storage tanks, including the installation, repair, leak detection, cathodic protection tank testing, removal or release notification. Such an order shall be served by registered or certified mail or in person. Any person served with such an order may appeal such order by submitting in writing any such appeal to the Office within 10 days of the date of receipt of such order. The Office shall conduct an administrative hearing governed by the Illinois Administrative Procedure Act and enter an order to sustain, modify or revoke such order. Any appeal from such order shall be to the circuit court of the county in which the violation took place and shall be governed by the Administrative Review Law.

(f) The Office of the State Fire Marshal shall not require the removal of an underground tank system taken out of operation before January 2, 1974, except in the case in which the office of the State Fire Marshal has determined that a release from the underground tank system poses a current or potential threat to human health and the environment. In that case, and upon receipt of an Order from the Office of the State Fire Marshal, the owner or operator of the nonoperational underground tank system shall assess the excavation zone and close the system in accordance with regulations promulgated by the Office of the State Fire Marshal.

(4) (a) The Office of the State Fire Marshal shall adopt rules and regulations regarding aboveground storage tanks and associated piping and no municipality or other political subdivision shall adopt or enforce any ordinances or regulations regarding such aboveground tanks and piping other than those which are identical to the rules and regulations of the Office of the State Fire Marshal unless, in the interest of fire safety, the Office of the State Fire Marshal delegates such authority to municipalities, political subdivisions or home rule units. It is declared to be the law of this State, pursuant to paragraphs (h) and (i) of Section 6 of Article VII of the Illinois Constitution, that the establishment of standards regarding aboveground storage tanks and associated piping within the jurisdiction of the Office of the State Fire Marshal is an exclusive State function which may not be exercised concurrently by a home rule unit except as expressly permitted in this Act.

(b) The Office of the State Fire Marshal shall enforce its rules and regulations concerning aboveground storage tanks and associated piping; however, municipalities may enforce any of their zoning ordinances or zoning regulations regarding aboveground tanks. The Office of the State Fire Marshal may issue an administrative order to any owner of an aboveground storage tank and associated piping it reasonably believes to be in violation of such rules and regulations to remedy or remove any such violation. Such an order shall be served by registered or certified mail or in person. Any person served with such an order may appeal such order by submitting in writing any such appeal to the Office within 10 days of the date of receipt of such order. The Office shall conduct an administrative hearing governed by the Illinois Administrative Procedure Act and enter an order to sustain, modify or revoke such order. Any appeal from such order shall be to the circuit court of the county in which the violation took place and shall be governed by the Administrative Review Law.

(Source: P.A. 91-851, eff. 1-1-01; 92-618, eff. 7-11-02; revised 10-9-03.)

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1040. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1040 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Lottery Law is amended by changing Sections 2 and 20 and by adding Section 21.7 as follows:

(20 ILCS 1605/2) (from Ch. 120, par. 1152)

Sec. 2. This Act is enacted to implement and establish within the State a lottery to be operated by the State, the entire net proceeds of which are to be used for the support of the State's Common School Fund, except as provided in Sections 21.2, ~~and~~ 21.5 , ~~and~~ 21.6 , and 21.7.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; revised 8-23-05.)

(20 ILCS 1605/20) (from Ch. 120, par. 1170)

Sec. 20. State Lottery Fund.

(a) There is created in the State Treasury a special fund to be known as the "State Lottery Fund". Such fund shall consist of all revenues received from (1) the sale of lottery tickets or shares, (net of commissions, fees representing those expenses that are directly proportionate to the sale of tickets or shares at the agent location, and prizes of less than $600 which have been validly paid at the agent level), (2) application fees, and (3) all other sources including moneys credited or transferred thereto from any other fund or source pursuant to law. Interest earnings of the State Lottery Fund shall be credited to the Common School Fund.

(b) The receipt and distribution of moneys under Section 21.5 of this Act shall be in accordance with Section 21.5.

(c) ~~(b)~~ The receipt and distribution of moneys under Section 21.6 of this Act shall be in accordance with Section 21.6.

(d) The receipt and distribution of moneys under Section 21.7 of this Act shall be in accordance with Section 21.7.

(Source: P.A. 94-120, eff. 7-6-05; 94-585, eff. 8-15-05; revised 8-19-05.)

(20 ILCS 1605/21.7 new)

Sec. 21.7. Scratch-out Multiple Sclerosis scratch-off game.

(a) The Department shall offer a special instant scratch-off game for the benefit of research pertaining to multiple sclerosis. The game shall commence on July 1, 2008 or as soon thereafter, in the discretion of the Director, as is reasonably practical. The operation of the game shall be governed by this Act and any rules adopted by the Department. If any provision of this Section is inconsistent with any other provision of this Act, then this Section governs.

(b) The Multiple Sclerosis Research Fund is created as a special fund in the State treasury. The net revenue from the scratch-out multiple sclerosis scratch-off game created under this Section shall be deposited into the Fund for appropriation by the General Assembly to the Department of Public Health for the purpose of making grants to organizations in Illinois that conduct research pertaining to the repair of damage caused by an acquired demyelinating disease of the central nervous system.

Moneys received for the purposes of this Section, including, without limitation, net revenue from the special instant scratch-off game and from gifts, grants, and awards from any public or private entity, must be deposited into the Fund. Any interest earned on moneys in the Fund must be deposited into the Fund.

For purposes of this Section, the term "research" includes, without limitation, expenditures to develop and advance the understanding, techniques, and modalities effective for maintaining function, mobility, and strength through preventive physical therapy or other treatments and to develop and advance the repair of myelin, neuron, and axon damage caused by an acquired demyelinating disease of the central nervous system and the restoration of function, including but not limited to, nervous system repair or neuroregeneration. The grant funds may not be used for institutional, organizational, or community-based overhead costs, indirect costs, or levies. For purposes of this subsection, "net revenue" means the total amount for which tickets have been sold less the sum of the amount paid out in the prizes and the actual administrative expenses of the Department solely related to the scratch-off game under this Section.

(c) During the time that tickets are sold for the scratch-out multiple sclerosis scratch-off game, the Department shall not unreasonably diminish the efforts devoted to marketing any other instant scratch-off lottery game.

(d) The Department may adopt any rules necessary to implement and administer the provisions of this Section.

Section 10. The State Finance Act is amended by adding Section 5.675 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. The Multiple Sclerosis Research Fund.

Section 99. Effective date. This Act takes effect upon becoming law.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2926.

HOUSE BILL 1826. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Human Services, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1826 by replacing everything after the enacting clause with the following:

"PART I. GENERAL PROVISIONS

Section 101. Short Title. This Act may be cited as the Illinois Religious Freedom Protection and Civil Unions Act.

Section 102. Religious Freedom. Nothing in this Act shall be construed to interfere with or regulate religious practice of the many faiths in Illinois that grant the status, sacrament, and blessing of marriage under wholly separate religious rules, practices, or traditions of such faiths. Additionally, nothing in this Act shall be construed as to require any religious body, Indian Nation, Indian Tribe, Native Group, or officiant thereof to solemnize or officiate a civil union or to prohibit any religious body, Indian Nation, Indian Tribe, Native Group, or officiant thereof from solemnizing or officiating a civil union. Any religious body, Indian Nation or Tribe or Native Group or officiant thereof is free to choose whether or not to solemnize and whether or not to officiate civil unions.

Section 103. Legislative Findings. The General Assembly finds that:

(a) Legal recognition of marriage by Illinois is the primary and, in a number of instances, the exclusive source of numerous protections and responsibilities under the laws of Illinois for parties to a marriage and their children. These protections and responsibilities that are associated with marriage in Illinois are available only to opposite-sex couples. Thus, same-sex couples and their children are denied equal access to these protections and responsibilities.

(b) Many gay and lesbian residents of Illinois have formed lasting, committed, caring, and faithful relationships with a person of the same sex. These couples live together, serve and participate together in their communities, and rear children and care for family members together. Without the legal protections and responsibilities currently associated only with marriage, same-sex couples in Illinois suffer numerous obstacles and hardships.

(c) Illinois has a strong interest in promoting stable and lasting families, including families headed by a same-sex couple.

(d) There is a compelling interest and a rational basis for Illinois to permit same-sex couples the same protections and responsibilities afforded spouses under Illinois law.

(e) With this Act, Illinois builds on a long tradition of respect for individual rights and responsibilities, the commitments of spouses to each other and their families, and equal protection of the laws. Accordingly, it is the public policy of this State to continue Illinois' history as a state in affording equal treatment and respect for all residents of Illinois as embodied in Article I, Sections 2 and 18 of the Illinois Constitution of 1970.

(f) It is also the public policy of this State to allow and to respect the private decision of all its residents to bind themselves to the obligations of and rights related to family relationships that are codified in this Act and set forth elsewhere under Illinois law.

Section 104. Definitions. For purposes of this Act:

"Civil union" means that 2 eligible persons have established a relationship pursuant to this Act, and may receive the protections and benefits of and be subject to the responsibilities of partners in a civil union.

"Civil union certificate" means a document that certifies that the persons named on the certificate have complied with the laws of the State of Illinois to establish a civil union in compliance with this Act.

"Partner in a civil union" and "partner to a civil union" mean a person who has established a civil union pursuant to this Act.

"Partners in a civil union" and "partners joined in a civil union" mean the 2 persons who have established a civil union between them pursuant to this Act.

Section 105. Protections and Responsibilities of Persons Joined in Civil Union.

(a) Partners joined in a civil union shall have all the same protections, benefits, and responsibilities under law, whether they derive from statute, administrative or court rule, policy, common law or any other source of civil or criminal law, as are granted to spouses in a marriage.

(b) Partners joined in a civil union shall be included in any definition or use of the terms "spouse", "family", "immediate family", "dependent", "next of kin", "husband", "wife", "out of wedlock", and other terms that denote the spousal relationship, as those terms are used throughout the law. The term "marriage" as it is used throughout the law, whether in statutes, administrative or court rule, policy, common law or any other source of civil or criminal law, without limitation shall be read, interpreted, and understood to include marriage and civil union.

(c) This Act shall be liberally construed and applied to promote its underlying purpose, which is to provide both eligible same-sex and opposite-sex couples the opportunity to obtain the same protections, benefits, and responsibilities afforded by the laws of Illinois to parties to a marriage.

(d) Partners joined in a civil union are responsible for the support of one another to the same degree and in the same manner as prescribed under law for parties to a marriage. The whole of this State's law concerning domestic relations, probate, and family law applies equally to parties in a civil union as it does to parties to marriage. The dissolution of a civil union shall follow the same procedures and be subject to the same substantive rights and obligations that are involved in the dissolution of marriage. The laws of domestic relationships, including declaration of invalidity, premarital and antenuptial agreements, legal separation, dissolution, child custody and support, evaluation of a child's best interest, child visitation, disposition of property and maintenance, post-relationship spousal support, and attorney's fees, applies to partners in a civil union. Partners in a civil union may modify the terms, conditions, or effects of their civil union in the same manner and to the same extent as married persons who execute an antenuptial agreement or other agreement recognized and enforceable under the law, setting forth particular understandings with respect to their union. All contracts made between persons in contemplation of a civil union shall remain in full force after such civil union takes place. The rights of partners in a civil union with respect to a child of whom either becomes a parent during the term of the civil union are the same as those of parties to a marriage with respect to a child of whom either spouse becomes the parent during the marriage.

(e) The following is a nonexclusive list of legal protections, benefits, and responsibilities of parties to a marriage, which applies in like manner to parties to a civil union:

(1) Law and procedure relating to title, tenure, descent, and distribution in estate succession, and relating to transfer by purchase, legacy, or descent of real or personal property as provided in Chapter 755 of the Illinois Compiled Statutes;

(2) Probate law and procedure as provided in the Probate Act of 1975;

(3) Trust and fiduciaries laws and procedures as provided in Chapter 760 of the Illinois Compiled Statutes;

(4) Property law and procedures as provided in Chapter 765 of the Illinois Compiled Statutes;

(5) Causes of actions related to or dependent upon spousal status, including actions for wrongful death, emotional distress, loss of consortium or other torts, or actions under contract related to or dependent upon spousal status;

(6) The rights of spouses to be sued and sue each other under the Rights of Married Persons Act;

(7) Financial assistance available to family members of innocent victims under the Crime Victim Compensation Act;

(8) Antenuptial and premarital agreements as provided in the Illinois Uniform Premarital Agreement Act and Section 503 of the Illinois Marriage and Dissolution of Marriage Act;

(9) Declaration of invalidity, legal separation, and dissolution law and procedures as provided in the Illinois Marriage and Dissolution of Marriage Act;

(10) Family law and procedures as provided in Chapter 750 of the Illinois Compiled Statutes;

(11) Adoption law and procedures under the Adoption Act;

(12) Prohibitions against discrimination based upon marital status under the Illinois Human Rights Act;

(13) Group insurance for state and municipal employees under the State Employees Group Insurance Act of 1971;

(14) Accident and health insurance protections tied to former spouses, dependents, and

immediate family provided in Article XX of the Illinois Insurance Code;

(15) Veteran benefits as provided in Chapter 330 of the Illinois Compiled Statutes and the Department of Veterans Affairs Act;

(16) Workers' compensation as provided by the Workers' Compensation Act and the Workers' Occupational Diseases Act;

(17) Assignment of wages as provided in the Illinois Wage Assignment Act;

(18) Public assistance benefits under State law;

(19) Taxes imposed by and tax deductions based on marital status under State or municipal tax law;

(20) Surrogate decision making for medical treatment under the Health Care Surrogate Act;

(21) Order of protection law and procedures as provided under the Illinois Domestic Violence Act of 1986;

(22) Domestic violence protections pursuant to the Illinois Domestic Violence Act of 1986 and other domestic violence programs;

(23) Address confidentiality law and procedures as provided in the Address Confidentiality for Victims of Domestic Violence Act;

(24) Spousal surname changes procedures provided under Illinois Marriage and Dissolution of Marriage Act;

(25) Marital communications privilege afforded under Section 115-16 of the Code of Criminal Procedure of 1963;

(26) Applications for and assistance by one's spouse in casting a ballot as provided under the Election Code; and

(27) Tuition assistance and grants afforded surviving spouses and children for educational purposes under State law.

(f) To the extent any of the laws of Illinois adopt, refer to, or rely upon provisions of federal law as applicable to this State, partners in a civil union shall be treated under the law of this State as if federal law recognized a civil union in the same manner as the law of this State.

Section 106. Requisites of a Valid Civil Union. Two persons may form a civil union in Illinois if they:

(1) are not related by adoption or blood in any manner that would bar a civil union under Section 212 of this Act;

(2) are not in another civil union or marriage with any other living person;

(3) are not under 18 years of age.

Section 107. Application of Civil Practice Law.

(a) The Civil Practice Law applies to all proceedings under this Act, except as otherwise provided in this Act.

(b) A proceeding for dissolution of civil union, legal separation, or declaration of invalidity of civil union shall be entitled "In re the Civil Union of . . . and . . ." as applicable. A custody or support proceeding shall be entitled "In re the (Custody) (Support) of . . .".

(c) The initial pleading in all proceedings under this Act shall be denominated a petition. A responsive pleading shall be denominated a response. All other pleadings under this Act shall be denominated as provided in the Civil Practice Law.

PART II. CIVIL UNIONS

Section 201. Formalities. Notwithstanding any other provision of state law, a civil union between 2 persons of either the same sex or the opposite sex licensed, officiated, and registered as provided in this Act is valid in this State.

Section 202. Civil Union License and Civil Union Certificate.

(a) The Director of Public Health shall prescribe the form for an application for a civil union license, which shall include:

(1) name, sex, occupation, address, social security number, date and place of birth of each party to the proposed civil union;

(2) if either party was previously part of a civil union or a marriage, his or her name, and the date, place and court in which the civil union or marriage was dissolved or declared invalid or the date and place of the death of the former partner to a civil union or the former partner to a marriage;

(3) name and address of the parents or guardian of each party; and

(4) whether the parties are related to each other and, if so, their relationship.

(b) The Director of Public Health shall prescribe the forms for the civil union license and

the civil union certificate.

Section 203. Civil Union License. When a civil union application has been completed and signed by both parties to a prospective civil union and both parties have appeared before the county clerk and the civil union license fee has been paid, the county clerk shall issue a civil union license and a civil union certificate form upon being furnished:

(1) satisfactory proof that each party to the civil union will have attained the age of 18 years at the time the civil union license is effective;

(2) satisfactory proof that the civil union is not prohibited; and

(3) an affidavit or record as prescribed in subparagraph (1) of Section 205 of this Act or a court order as prescribed in subparagraph (2) of Section 205 of this Act, if applicable. Nothing in this Act shall be construed to prevent a couple who have entered into a civil union to reaffirm their commitment to one another if a new license is obtained and the civil union properly reported.

Section 204. Medical Information Brochures. With each civil union license, the county clerk shall provide a pamphlet describing the causes and effects of fetal alcohol syndrome. The county clerk shall also distribute free of charge, to all persons applying for a civil union license, a brochure prepared by the Department of Public Health concerning sexually transmitted diseases and inherited metabolic diseases.

Section 205. Exceptions.

(1) Irrespective of the results of laboratory tests and clinical examination relative to sexually transmitted diseases, the clerks of the respective counties shall issue a civil union license to parties to a proposed civil union (a) when a woman is pregnant at the time of such application, or (b) when a woman has, prior to the time of application, given birth to a child born out of wedlock or civil union which is living at the time of such application and the man making such application makes affidavit that he is the father of such child born out of wedlock or civil union. The county clerk shall, in lieu of the health certificate required hereunder, accept, as the case may be, either an affidavit on a form prescribed by the State Department of Public Health, signed by a physician duly licensed in this State, stating that the woman is pregnant, or a copy of the birth record of the child born out of wedlock or civil union, if one is available in this State, or if such birth record is not available, an affidavit signed by the woman that she is the mother of such child.

(2) Any judge of the circuit court within the county in which the license is to be issued is authorized and empowered on joint application by both applicants for a civil union license to waive the requirements as to medical examination, laboratory tests, and certificates, except the requirements of paragraph (4) of subsection (a) of Section 212 of this Act and to authorize the county clerk to issue the license if all other requirements of law have been complied with and the judge is satisfied, by affidavit, or other proof, that the examination or tests are contrary to the tenets or practices of the religious creed of which the applicant is an adherent, and that the public health and welfare will not be injuriously affected thereby.

Section 206. Records. Any health certificate filed with the county clerk, or any certificate, affidavit, or record accepted in lieu thereof, shall be retained in the files of the office for one year after the civil union license is issued and shall thereafter be destroyed by the county clerk.

Section 207. Effective Date of License. A civil union license becomes effective in the county where it is issued one day after the date of issuance, unless the court orders that the civil union license is effective when issued, and expires 60 days after it becomes effective.

Section 208. (Blank).

Section 209. Officiation and Registration.

(a) A civil union may be officiated by a judge of a court of record, by a retired judge of a court of record, unless the retired judge was removed from office by the Judicial Inquiry Board, except that a retired judge shall not receive any compensation from the State, a county, or any unit of local government in return for the officiation of a civil union and there shall be no effect upon any pension benefits conferred by the Judges Retirement System of Illinois, by a judge of the Court of Claims, by a county clerk in counties having 2,000,000 or more inhabitants, by a public official whose powers include solemnization of marriages, or in accordance with the prescriptions of any religious denomination, Indian Nation or Tribe or Native Group, provided that when such prescriptions require an officiant, the officiant be in good standing with his or her religious denomination, Indian Nation or Tribe or Native Group. Either the person officiating the civil union, or, if no individual acting alone officiated the civil union, both parties to the civil union, shall complete the civil union certificate form and forward it to the county clerk within 10 days after such civil union is officiated.

(b) Nothing in this Act shall be construed as to require any religious body, Indian Nation, Indian Tribe, Native Group, or officiant thereof to solemnize or officiate a civil union or to prohibit any religious body, Indian Nation, Indian Tribe, Native Group, or officiant thereof from solemnizing or officiating a civil

union.

(c) The officiation of the civil union is not invalidated by the fact that the person officiating the civil union was not legally qualified to officiate it, if either party to the civil union believed him or her to be so qualified.

Section 210. Registration of Civil Union Certificate. Upon receipt of the civil union certificate, the county clerk shall register the civil union. Within 45 days after the close of the month in which a civil union is registered, the county clerk shall make to the Department of Public Health a return of such civil union. Such return shall be made on a form furnished by the Department of Public Health and shall substantially consist of the following items:

(1) A copy of the civil union license application signed and attested to by the applicants, except that in any county in which the information provided in a civil union license application is entered into a computer, the county clerk may submit a computer copy of such information without the signatures and attestations of the applicants.

(2) The date and place of the civil union.

(3) The civil union license number.

A copy of the civil union registration from the county clerk or the return provided to the Department of Public Health by a county clerk shall be presumptive evidence of the civil union in all courts.

Section 211. Reporting. In transmitting the required returns, the county clerk shall make a report to the Department of Public Health stating the total number of civil union licenses issued during the month for which returns are made, and the number of civil union certificates registered during the month.

Section 212. Prohibited Civil Unions.

(a) The following civil unions are prohibited:

(1) a civil union entered into prior to the dissolution of an earlier marriage of one of the parties or the dissolution of an earlier civil union of one of the parties;

(2) a civil union between an ancestor and a descendant or between siblings, whether the relationship is by the half or the whole blood or by adoption;

(3) a civil union between an uncle and a niece, between an aunt and a nephew, between an uncle and a nephew, and between an aunt and a niece, whether the relationship is by the half or the whole blood;

(4) a civil union between cousins of the first degree; however, a civil union between first cousins is not prohibited if:

(i) both parties are 50 years of age or older; or

(ii) either party, at the time of application for a civil union license, presents for filing with the county clerk of the county in which the civil union is to be officiated, a certificate signed by a licensed physician stating that the party to the proposed civil union is permanently and irreversibly sterile.

(b) Parties to a civil union prohibited under subsection (a) of this Section who cohabit after the removal of the impediment are lawfully in a civil union as of the date of the removal of the impediment.

(c) Children born or adopted of a prohibited civil union are the lawful children of the parties.

Section 213. Reciprocity. A civil union entered into outside this State, which is valid under the laws of the jurisdiction under which the civil union was created, is valid in this State.

PART III. AMENDATORY PROVISIONS

Section 301. The Illinois Marriage and Dissolution of Marriage Act is amended by changing Sections 212 and 702 as follows:

(750 ILCS 5/212) (from Ch. 40, par. 212)

Sec. 212. Prohibited Marriages.

(a) The following marriages are prohibited:

(1) a marriage entered into prior to the dissolution of an earlier marriage of one of the parties <u>or an earlier civil union of one of the parties</u>;

(2) a marriage between an ancestor and a descendant or between a brother and a sister, whether the relationship is by the half or the whole blood or by adoption;

(3) a marriage between an uncle and a niece or between an aunt and a nephew, whether the relationship is by the half or the whole blood;

(4) a marriage between cousins of the first degree; however, a marriage between first

cousins is not prohibited if:

(i) both parties are 50 years of age or older; or

(ii) either party, at the time of application for a marriage license, presents for filing with the county clerk of the county in which the marriage is to be solemnized, a certificate signed by a licensed physician stating that the party to the proposed marriage is permanently and irreversibly sterile;

(5) a marriage between 2 individuals of the same sex.

(b) Parties to a marriage prohibited under subsection (a) of this Section who cohabit after removal of the impediment are lawfully married as of the date of the removal of the impediment.

(c) Children born or adopted of a prohibited or common law marriage are the lawful children of the parties.

(Source: P.A. 94-229, eff. 1-1-06.)

(750 ILCS 5/702) (from Ch. 40, par. 702)

Sec. 702. Maintenance in Case of Bigamy.) When a dissolution of marriage is granted to a person who shall, in good faith, have intermarried with a person having at the time of such marriage, another spouse or spouses or partner in a civil union or partners in a civil union living, the court may, nevertheless, allow the petitioner maintenance in the same manner as in other cases of dissolution of marriage; but no such allowance shall be made as will be inconsistent with the rights of such other spouse or spouses or partner in a civil union or partners in a civil union, which shall first be ascertained by the court before the granting of such maintenance.

(Source: P.A. 80-923.)

Section 302. The Illinois Human Rights Act is amended by changing Section 1-103 as follows:

(775 ILCS 5/1-103) (from Ch. 68, par. 1-103)

Sec. 1-103. General Definitions. When used in this Act, unless the context requires otherwise, the term:

(A) Age. "Age" means the chronological age of a person who is at least 40 years old, except with regard to any practice described in Section 2-102, insofar as that practice concerns training or apprenticeship programs. In the case of training or apprenticeship programs, for the purposes of Section 2-102, "age" means the chronological age of a person who is 18 but not yet 40 years old.

(B) Aggrieved Party. "Aggrieved party" means a person who is alleged or proved to have been injured by a civil rights violation or believes he or she will be injured by a civil rights violation under Article 3 that is about to occur.

(C) Charge. "Charge" means an allegation filed with the Department by an aggrieved party or initiated by the Department under its authority.

(D) Civil Rights Violation. "Civil rights violation" includes and shall be limited to only those specific acts set forth in Sections 2-102, 2-103, 2-105, 3-102, 3-103, 3-104, 3-104.1, 3-105, 4-102, 4-103, 5-102, 5A-102 and 6-101 of this Act.

(E) Commission. "Commission" means the Human Rights Commission created by this Act.

(F) Complaint. "Complaint" means the formal pleading filed by the Department with the Commission following an investigation and finding of substantial evidence of a civil rights violation.

(G) Complainant. "Complainant" means a person including the Department who files a charge of civil rights violation with the Department or the Commission.

(H) Department. "Department" means the Department of Human Rights created by this Act.

(I) Handicap. "Handicap" means a determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristic, or the perception of such characteristic by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic:

(1) For purposes of Article 2 is unrelated to the person's ability to perform the duties of a particular job or position and, pursuant to Section 2-104 of this Act, a person's illegal use of drugs or alcohol is not a handicap;

(2) For purposes of Article 3, is unrelated to the person's ability to acquire, rent or maintain a housing accommodation;

(3) For purposes of Article 4, is unrelated to a person's ability to repay;

(4) For purposes of Article 5, is unrelated to a person's ability to utilize and benefit from a place of public accommodation.

(J) Marital Status. "Marital status" means the legal status of being married, partnered in a civil union, single, separated, divorced or widowed.

(J-1) Military Status. "Military status" means a person's status on active duty in or status as a veteran of the armed forces of the United States, status as a current member or veteran of any reserve component of the armed forces of the United States, including the United States Army Reserve, United States Marine Corps Reserve, United States Navy Reserve, United States Air Force Reserve, and United States Coast Guard Reserve, or status as a current member or veteran of the Illinois Army National Guard or Illinois Air National Guard.

(K) National Origin. "National origin" means the place in which a person or one of his or her ancestors was born.

(L) Person. "Person" includes one or more individuals, partnerships, associations or organizations, labor organizations, labor unions, joint apprenticeship committees, or union labor associations, corporations, the State of Illinois and its instrumentalities, political subdivisions, units of local government, legal representatives, trustees in bankruptcy or receivers.

(M) Public Contract. "Public contract" includes every contract to which the State, any of its political subdivisions or any municipal corporation is a party.

(N) Religion. "Religion" includes all aspects of religious observance and practice, as well as belief, except that with respect to employers, for the purposes of Article 2, "religion" has the meaning ascribed to it in paragraph (F) of Section 2-101.

(O) Sex. "Sex" means the status of being male or female.

(O-1) Sexual orientation. "Sexual orientation" means actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult.

(P) Unfavorable Military Discharge. "Unfavorable military discharge" includes discharges from the Armed Forces of the United States, their Reserve components or any National Guard or Naval Militia which are classified as RE-3 or the equivalent thereof, but does not include those characterized as RE-4 or "Dishonorable".

(Q) Unlawful Discrimination. "Unlawful discrimination" means discrimination against a person because of his or her race, color, religion, national origin, ancestry, age, sex, marital status, handicap, military status, sexual orientation, or unfavorable discharge from military service as those terms are defined in this Section.

(Source: P.A. 93-941, eff. 8-16-04; 93-1078, eff. 1-1-06; 94-803, eff. 5-26-06.)

PART IV. MISCELLANEOUS

Section 401. Construction. This Act and the rules now or hereafter applicable thereto shall be liberally construed to secure to eligible couples the option of a legal status with all the attributes and effects, protections, benefits, and responsibilities of marriage. Partners in a civil union shall have all the same protections, benefits, and responsibilities under State law, whether derived from statute, administrative or court rule, policy, common law, or any other source of civil or criminal law, as granted to spouses in marriage. Further, this Act is intended to extend to partners in a civil union the protections, benefits, and responsibilities that flow from marriage.

Section 402. Severability. If any part of this Act or its application to any person or circumstance is adjudged invalid, such adjudication or application shall not affect the validity of this Act as a whole or of any other part.

Section 403. Effective date. This Act takes effect on January 1, 2008.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1453. Having been reproduced, was taken up and read by title a second time.

Representative Jakobsson offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 1453 on page 2, line 10, by replacing "the" with "a"; and on page 2, line 11, by inserting "with 50 or more employees" before "if".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1141. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Elementary & Secondary Education, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1141 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by adding Section 21-29 as follows:

(105 ILCS 5/21-29 new)

Sec. 21-29. Stipend; hard-to-staff school.

(a) In this Section "hard-to-staff school" means an elementary or secondary school that ranks in the top 5% of schools in this State in the number of teachers who leave their positions. The State Board of Education shall rank schools for this purpose based on mobility and teacher attrition over a 5-year average.

(b) The State Board of Education shall establish and administer a program that provides stipends to teachers who choose to teach at hard-to-staff public schools in this State. Under the program, if a teacher who has at least 2 years of experience at a recognized school agrees to teach at a hard-to-staff school for 5 years, the teacher is entitled to a total $20,000 stipend over those 5 years. The stipend may be paid out each year that the teacher teaches at a hard-to-staff school or may be paid as a lump sum after the teacher has completed 5 years of teaching at a hard-to-staff school. The State Board of Education may adopt any rules that are necessary for the implementation of this Section.".

Representative Jefferson offered the following amendment and moved its adoption:

AMENDMENT NO. 2. Amend House Bill 1141, AS AMENDED, with reference to page and line numbers of House Amendment No. 1, on page 1, line 14, by replacing "The" with "Subject to appropriation, the"; and

on page 2, line 1, by replacing "2" with "4".

The foregoing motion prevailed and Amendment No. 2 was adopted.

There being no further amendments, the foregoing Amendments numbered 1 and 2 were ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1727. Having been recalled on April 19, 2007, and held on the order of Second Reading, the same was again taken up.

Floor Amendment No. 4 remained in the Committee on Rules.

Representative Joyce offered the following amendment and moved its adoption.

AMENDMENT NO. 5. Amend House Bill 1727, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 1. Short title. This Act may be cited as the Internet Screening in Public Libraries Act.

Section 5. Purpose. In accordance with Section 20 of Article I of the Illinois Constitution, the General Assembly finds that the installation and operation by public libraries of technology protection measures that protect against access (i) by adults to visual depictions that are obscene or child pornography and (ii) by minors to visual depictions that are obscene, child pornography, or harmful to minors fulfill an important State interest.

Section 10. Definitions. In this Act:

"Administrative unit" means the entity designated by the State or a unit of local government or school district as responsible for the administration of all public library locations established or maintained by that governmental entity.

"Child pornography" means any film, videotape, photograph, or other similar visual reproduction or depiction by computer of any child or severely or profoundly mentally retarded person whom the person knows or reasonably should know to be under the age of 18 or to be a severely or profoundly mentally retarded person, engaged in any activity described in subparagraphs (i) through (vii) of paragraph (1) of Section 11-20.1 of the Criminal Code of 1961 (720 ILCS 5/11-20.1).

"Depiction harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

(1) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;

(2) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act, a lewd exhibition of the genitals, or a normal or perverted sexual contact; and

(3) taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.

"Minor" means a person who is younger than 18 years of age.

"Obscene" has the meaning ascribed to that term in Section 11-20 of the Criminal Code of 1961 (720 ILCS 5/11-20).

"Public computer" means a computer, as that term is defined in Section 16D-2 of the Computer Crime Prevention Law (720 ILCS 5/16D-2), that is made available to the public and that has Internet access.

"Public library" means any library established or maintained by the State or by any unit of local government or school district in this State but does not include any library of a college or university.

"Technology protection measure" means software or the equivalent technology that blocks or filters Internet access to the visual depictions that are proscribed under this Act.

Section 15. Public library Internet safety policy. Each public library must create and enforce an Internet safety policy that provides for the:

(1) installation and operation of a technology protection measure on all public computers in the library that protects against access through those computers to visual depictions that are obscene, child pornography, or harmful to minors; and

(2) disablement of the technology protection measure by an employee of the public library upon an adult's request to use the computer for legitimate research or some other lawful purpose; and

(3) disablement of the technology protection measure by an employee of the public library upon the request of a minor to use the computer for legitimate research or some other lawful purpose if that minor is adequately supervised for the duration of the minor's use of the computer by an individual who is 21 years of age or older.

Section 20. Rules; annual attestation.

(a) The State Librarian shall adopt rules to implement and administer this Act.

(b) The head of each administrative unit must annually attest in writing that all public library locations within the jurisdiction of the administrative unit are in compliance with Section 15, as a condition of the receipt of any State grants distributed through the State Librarian under the Illinois Library Systems Act.

Section 25. Internet Screening in Public Libraries Fund. The Internet Screening in Public Libraries Fund is created as a special fund in the State treasury. Subject to appropriation, the amounts in the Fund shall be used by the State Librarian to implement and administer this Act.

Section 80. The State Finance Act is amended by adding Section 5.675 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. The Internet Screening in Public Libraries Fund.

Section 85. The Illinois Library System Act is amended by changing Section 8.1 as follows:

(75 ILCS 10/8.1) (from Ch. 81, par. 118.1)

Sec. 8.1. The State Librarian shall make grants annually under this Section to all qualified public libraries in the State from funds appropriated by the General Assembly. Such grants shall be in the amount of up to $1.25 per capita for the population of the area served by the respective public library and, in addition, the amount of up to $0.19 per capita to libraries serving populations over 500,000 under the Illinois Major Urban Library Program. If the moneys appropriated for grants under this Section are not sufficient the State Librarian shall reduce the per capita amount of the grants so that the qualifying public libraries receive the same amount per capita.

To be eligible for grants under this Section, a public library must:

(1) Provide, as determined by the State Librarian, library services which either meet or show progress toward meeting the Illinois library standards, as most recently adopted by the Illinois Library Association.

(2) Be a public library for which is levied a tax for library purposes at a rate not less than .13% or a county library for which is levied a tax for library purposes at a rate not less than

.07%. If a library is subject to the Property Tax Extension Limitation Law in the Property Tax Code and its tax levy for library purposes has been lowered to a rate of less than .13%, this requirement will be waived if the library qualified for this grant in the previous year and if the tax levied for library purposes in the current year produces tax revenue for library purposes that is an increase over the previous year's extension of 5% or the percentage increase in the Consumer Price Index, whichever is less.

(3) Be in compliance with the requirements set forth in the Internet Screening in Public Libraries Act and the administrative unit in whose jurisdiction the library is located must have submitted the annual attestation required under Section 20 of that Act.

Any other language in this Section to the contrary notwithstanding, grants under this Section 8.1 shall be made only upon application of the public library concerned, which applications shall be entirely voluntary and within the sole discretion of the public library concerned.

In order to be eligible for a grant under this Section, the corporate authorities, in lieu of a tax levy at a particular rate, may provide funds from other sources, an amount equivalent to the amount to be produced by that levy.

(Source: P.A. 93-527, eff. 8-14-03.)

Section 90. The State Mandates Act is amended by adding Section 8.31 as follows:

(30 ILCS 805/8.31 new)

Sec. 8.31. Exempt mandate. Notwithstanding Sections 6 and 8 of this Act, no reimbursement by the State is required for the implementation of any mandate created by this amendatory Act of the 95th General Assembly.".

The foregoing motion prevailed and Amendment No. 5 was adopted.

There being no further amendments, the foregoing Amendment No. 5 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 380. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Revenue, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 380 by replacing everything after the enacting clause with the following:

"Section 5. The Property Tax Code is amended by adding Division 5 to Article 11 as follows:

(35 ILCS 200/Art. 11 Div. 5 heading new)

DIVISION 5. WIND-ENERGY-PRODUCTION FACILITIES".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 126. Having been recalled on April 25, 2007, and held on the order of Second Reading, the same was again taken up and advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3764.

HOUSE BILL 3416. Having been recalled on April 25, 2007, and held on the order of Second Reading, the same was again taken up and held on the order of Second Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 3441.

HOUSE BILL 1331. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1331 on page 1, line 5, by replacing "Section 16-143.3" with "Sections 16-143.3 and 17-121.1"; and
on page 2, immediately below line 14, by inserting the following:

"(40 ILCS 5/17-121.1 new)

Sec. 17-121.1. Domestic partner eligibility.

(a) Beginning July 1, 2007, an unmarried teacher may designate a domestic partner by filing a written designation with the Fund in the manner prescribed by the Fund. The Fund may require reasonable evidence that the person designated meets the qualifications set forth in subsection (c). Such a designation is revocable at any time, but may not be made or changed more than once in any 24-month period. The marriage of a teacher automatically revokes any designation of a domestic partner previously made by that teacher.

(b) The designated domestic partner of a teacher shall be eligible to receive survivor and death benefits under this Article in the same manner and subject to the same conditions as a surviving spouse. For the purposes of determining eligibility for those benefits, the date of designation of a domestic partner shall be deemed the equivalent of the date of marriage, and the revocation or change of a designation shall be deemed the equivalent of termination of the marriage. References in this Article and other applicable Articles of this Code to a surviving spouse shall be deemed to include a surviving designated domestic partner.

(c) "Domestic partner" means an individual of the same gender as an unmarried teacher who (1) is involved with the teacher in a long-term relationship of indefinite duration; (2) has resided together with the teacher at the same address for at least 12 months; (3) is not related to the teacher by blood to a degree of closeness that would prohibit legal marriage in the state in which they legally reside; (4) is not married to any other person; and (5) has an exclusive mutual commitment to the teacher in which they agree to be jointly responsible for each other's common welfare and to share financial obligations.".

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1104. Having been recalled on March 22, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Lindner offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 1104 as follows:
on page 1, line 14, after "incorporated." by inserting "Any lands so disconnected shall be deemed to be included within the municipality for contiguity purposes only.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

HOUSE BILL 282. Having been recalled on April 19, 2007, and held on the order of Second Reading, the same was again taken up.

Representative Reitz offered the following amendment and moved its adoption.

AMENDMENT NO. 1. Amend House Bill 282 as follows:
on page 1, by replacing line 5 with the following:
"Sections 21-355, 22-15, and 22-20 as follows:"; and
on page 9, immediately below line 3, by inserting the following:

"(35 ILCS 200/22-20)

Sec. 22-20. Proof of service of notice; publication of notice. The sheriff or coroner serving notice under

Section 22-15 shall endorse his or her return thereon and file it with the Clerk of the Circuit Court and it shall be a part of the court record. A private detective or a special process server appointed under Section 22-15 shall make his or her return by affidavit and shall file it with the Clerk of the Circuit Court, where it shall be a part of the court record. If a sheriff, private detective, special process server, or coroner to whom any notice is delivered for service, neglects or refuses to make the return, the purchaser or his or her assignee may petition the court to enter a rule requiring the sheriff, private detective, special process server, or coroner to make return of the notice on a day to be fixed by the court, or to show cause on that day why he or she should not be attached for contempt of the court. The purchaser or assignee shall cause a written notice of the rule to be served upon the sheriff, private detective, special process server, or coroner. If good and sufficient cause to excuse the sheriff, private detective, special process server, or coroner is not shown, the court shall adjudge him or her guilty of a contempt, and shall proceed to punish him as in other cases of contempt.

If the property is located in a municipality in a county with less than 3,000,000 inhabitants, the purchaser or his or her assignee shall also publish a notice as to the owner or party interested, in some newspaper published in the municipality. If the property is not in a municipality in a county with less than 3,000,000 inhabitants, or if no newspaper is published therein, or if the property is in a county with 3,000,000 or more inhabitants, the notice shall be published in some newspaper in the county. If no newspaper is published in the county, then the notice shall be published in the newspaper that is published nearest the county seat of the county in which the property is located. If the owners and parties interested in the property upon diligent inquiry are unknown to the purchaser or his or her assignee, the publication as to such owner or party interested, may be made to unknown owners or parties interested. Any notice by publication given under this Section shall be given 3 times at any time after filing a petition for tax deed, but not less than 3 months nor more than 5 months prior to the expiration of the period of redemption. The publication shall contain (a) notice of the filing of the petition for tax deed, (b) the date on which the petitioner intends to make application for an order on the petition that a tax deed issue, (c) a description of the property, (d) the date upon which the property was sold, (e) the taxes or special assessments for which it was sold and (f) the date on which the period of redemption will expire. The publication shall not include more than one property listed and sold in one description, except as provided in Section 21-90, and except that when more than one property is owned by one person, all of the parcels owned by that person may be included in one notice.

(Source: P.A. 91-209, eff. 1-1-00; 91-554, eff. 8-14-99.)".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was again advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and advanced to the order of Third Reading: HOUSE BILL 1651.

HOUSE BILL 2194. Having been reproduced, was taken up and read by title a second time.

Representative Poe offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2194 by replacing everything after the enacting clause with the following:

"Section 5. The Southern Illinois University Management Act is amended by changing Section 8 as follows:

(110 ILCS 520/8) (from Ch. 144, par. 658)

Sec. 8. Powers and Duties of the Board. The Board shall have power and it shall be its duty:

1. To make rules, regulations and by-laws, not inconsistent with law, for the government and management of Southern Illinois University and its branches;

2. To employ, and, for good cause, to remove a president of Southern Illinois University, and all necessary deans, professors, associate professors, assistant professors, instructors, and other educational and administrative assistants, and all other necessary employees, and contract with them upon matters relating to tenure, salaries and retirement benefits in accordance with the State

Universities Civil Service Act; the Board shall, upon the written request of an employee of Southern Illinois University, withhold from the compensation of that employee any dues, payments or contributions payable by such employee to any labor organization as defined in the Illinois Educational Labor Relations Act. Under such arrangement, an amount shall be withheld from each regular payroll period which is equal to the pro rata share of the annual dues plus any payments or contributions, and the Board shall transmit such withholdings to the specified labor organization within 10 working days from the time of the withholding. Whenever the Board establishes a search committee to fill the position of president of Southern Illinois University, there shall be minority representation, including women, on that search committee;

3. To prescribe the course of study to be followed, and textbooks and apparatus to be used at Southern Illinois University;

4. To issue upon the recommendation of the faculty, diplomas to such persons as have satisfactorily completed the required studies of Southern Illinois University, and confer such professional and literary degrees as are usually conferred by other institutions of like character for similar or equivalent courses of study, or such as the Board may deem appropriate;

5. To examine into the conditions, management, and administration of Southern Illinois University, to provide the requisite buildings, apparatus, equipment and auxiliary enterprises, and to fix and collect matriculation fees; tuition fees; fees for student activities; fees for student facilities such as student union buildings or field houses or stadium or other recreational facilities; student welfare fees; laboratory fees and similar fees for supplies and material;

6. To succeed to and to administer all trusts, trust property, and gifts now or hereafter belonging or pertaining to Southern Illinois University;

7. To accept endowments of professorships or departments in the University from any person who may proffer them and, at regular meetings, to prescribe rules and regulations in relation to endowments and declare on what general principles they may be accepted;

8. To enter into contracts with the Federal government for providing courses of instruction and other services at Southern Illinois University for persons serving in or with the military or naval forces of the United States, and to provide such courses of instruction and other services;

9. To provide for the receipt and expenditures of Federal funds, paid to the Southern Illinois University by the Federal government for instruction and other services for persons serving in or with the military or naval forces of the United States and to provide for audits of such funds;

10. To appoint, subject to the applicable civil service law, persons to be members of the Southern Illinois University Police Department. Members of the Police Department shall be conservators of the peace and as such have all powers possessed by policemen in cities, and sheriffs, including the power to make arrests on view or warrants of violations of state statutes, university rules and regulations and city or county ordinances, except that they may exercise such powers only within counties wherein the university and any of its branches or properties are located when such is required for the protection of university properties and interests, and its students and personnel, and otherwise, within such counties, when requested by appropriate State or local law enforcement officials. However, such officers shall have no power to serve and execute civil processes.

The Board must authorize to each member of the Southern Illinois University Police Department and to any other employee of Southern Illinois University exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by Southern Illinois University and (ii) contains a unique identifying number. No other badge shall be authorized by Southern Illinois University.

(10.5) To conduct health care programs in furtherance of its teaching, research, and public service functions, which shall include without limitation patient and ancillary facilities, institutes, clinics, or offices owned, leased, or purchased through an equity interest by the Board or its appointed designee to carry out such activities in the course of or in support of the Board's academic, clinical, and public service responsibilities.

11. To administer a plan or plans established by the clinical faculty of the School of Medicine for the billing, collection and disbursement of charges ~~made by individual faculty members~~ for ~~professional~~ services performed ~~by them~~ in the course of or in support of the faculty's ~~their~~ academic responsibilities, provided that such plan has been first approved by Board action. All such collections shall be deposited into a special fund or funds administered by the Board from which disbursements may be made according to the provisions of said plan. The reasonable costs incurred, by the University, administering the billing, collection and disbursement provisions of a plan shall have first priority for

payment before distribution or disbursement for any other purpose. Audited financial statements of the plan or plans must be provided ~~Charges established pursuant to this plan must be itemized in any billing and any amounts collected which are not used to off set the cost of operating or maintaining the activity which generated the funds collected, must be accounted for separately. This accounting must clearly show the use and application made of the funds and the Board shall report such accountings for the previous fiscal year~~ to the Legislative Audit Commission annually ~~by December 31 of each fiscal year~~.

The Board of Trustees may own, operate, or govern, by or through the School of Medicine, a managed care community network established under subsection (b) of Section 5-11 of the Illinois Public Aid Code.

12. The Board of Trustees may, directly or in cooperation with other institutions of higher education, acquire by purchase or lease or otherwise, and construct, enlarge, improve, equip, complete, operate, control and manage medical research and high technology parks, together with the necessary lands, buildings, facilities, equipment, and personal property therefor, to encourage and facilitate (a) the location and development of business and industry in the State of Illinois, and (b) the increased application and development of technology and (c) the improvement and development of the State's economy. The Board of Trustees may lease to nonprofit corporations all or any part of the land, buildings, facilities, equipment or other property included in a medical research and high technology park upon such terms and conditions as the Board of Trustees may deem advisable and enter into any contract or agreement with such nonprofit corporations as may be necessary or suitable for the construction, financing, operation and maintenance and management of any such park; and may lease to any person, firm, partnership or corporation, either public or private, any part or all of the land, building, facilities, equipment or other property of such park for such purposes and upon such rentals, terms and conditions as the Board of Trustees may deem advisable; and may finance all or part of the cost of any such park, including the purchase, lease, construction, reconstruction, improvement, remodeling, addition to, and extension and maintenance of all or part of such high technology park, and all equipment and furnishings, by legislative appropriations, government grants, contracts, private gifts, loans, receipts from the operation of such high technology park, rentals and similar receipts; and may make its other facilities and services available to tenants or other occupants of any such park at rates which are reasonable and appropriate.

The powers of the Board as herein designated are subject to the Board of Higher Education Act.

(Source: P.A. 91-883, eff. 1-1-01; 92-370, eff. 8-15-01.)

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 1723. Having been reproduced, was taken up and read by title a second time.

The following amendment was offered in the Committee on Personnel and Pensions, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 1723, on page 11, immediately below line 21, by inserting the following:

"The changes to paragraph (1) of this item (18) made by this amendatory Act of the 95th General Assembly apply without regard to whether the member was in service on or after its effective date, but do not entitle any person to recalculation of any pension or other benefit already granted.".

Floor Amendment No. 2 remained in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 2006. Having been reproduced, was taken up and read by title a second time.

Representative Smith offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2006 on page 44, immediately below line 7, by inserting the following:

"Section 99. Effective date. This Act takes effect July 1, 2007.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILLS ON THIRD READING

The following bills and any amendments adopted thereto were reproduced and laid upon the Members' desks. These bills have been examined, any amendments thereto engrossed and any errors corrected. Any amendments still pending upon the passage or defeat of a bill on Third Reading are automatically tabled pursuant to Rule 40(a).

On motion of Representative Cross, HOUSE BILL 1346 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

117, Yeas; 0, Nays; 0, Answering Present.

(ROLL CALL 22)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Arroyo, HOUSE BILL 3434 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

70, Yeas; 46, Nays; 0, Answering Present.

(ROLL CALL 23)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Crespo, HOUSE BILL 1434 was taken up and read by title a third time.

The Chair moves this bill to standard debate.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

69, Yeas; 48, Nays; 0, Answering Present.

(ROLL CALL 24)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

On motion of Representative Mendoza, HOUSE BILL 1958 was taken up and read by title a third time.

And the question being, "Shall this bill pass?" it was decided in the affirmative by the following vote:

72, Yeas; 43, Nays; 2, Answering Present.

(ROLL CALL 25)

This bill, having received the votes of a constitutional majority of the Members elected, was declared passed.

Ordered that the Clerk inform the Senate and ask their concurrence.

HOUSE BILLS ON SECOND READING

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 2201.

HOUSE BILL 2473. Having been reproduced, was taken up and read by title a second time.

Representative Ryg offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2473 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Promotion Act is amended by changing Section 4a as follows:

(20 ILCS 665/4a) (from Ch. 127, par. 200-24a)

Sec. 4a. Funds.

(1) All moneys deposited in the Tourism Promotion Fund pursuant to this subsection are allocated to the Department for utilization, as appropriated, in the performance of its powers under Section 4.

As soon as possible after the first day of each month~~, beginning July 1, 1997~~, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Tourism Promotion Fund an amount equal to 17% ~~13%~~ of the net revenue realized from the Hotel Operators' Occupation Tax Act plus an amount equal to 17% ~~13%~~ of the net revenue realized from any tax imposed under Section 4.05 of the Chicago World's Fair-1992 Authority Act during the preceding month. "Net revenue realized for a month" means the revenue collected by the State under that Act during the previous month less the amount paid out during that same month as refunds to taxpayers for overpayment of liability under that Act.

(1.1) (Blank).

(2) As soon as possible after the first day of each month~~, beginning July 1, 1997~~, upon certification of the Department of Revenue, the Comptroller shall order transferred and the Treasurer shall transfer from the General Revenue Fund to the Tourism Promotion Fund an amount equal to 11% ~~8%~~ of the net revenue realized from the Hotel Operators' Occupation Tax plus an amount equal to 11% ~~8%~~ of the net revenue realized from any tax imposed under Section 4.05 of the Chicago World's Fair-1992 Authority Act during the preceding month. "Net revenue realized for a month" means the revenue collected by the State under that Act during the previous month less the amount paid out during that same month as refunds to taxpayers for overpayment of liability under that Act.

All monies deposited in the Tourism Promotion Fund under this subsection (2) shall be used solely as provided in this subsection to advertise and promote tourism throughout Illinois. Appropriations of monies deposited in the Tourism Promotion Fund pursuant to this subsection (2) shall be used solely for advertising to promote tourism, including but not limited to advertising production and direct advertisement costs, but shall not be used to employ any additional staff, finance any individual event, or lease, rent or purchase any physical facilities. The Department shall coordinate its advertising under this subsection (2) with other public and private entities in the State engaged in similar promotion activities. Print or electronic media production made pursuant to this subsection (2) for advertising promotion shall not contain or include the physical appearance of or reference to the name or position of any public officer. "Public officer" means a person who is elected to office pursuant to statute, or who is appointed to an office which is established, and the qualifications and duties of which are prescribed, by statute, to discharge a public duty for the State or any of its political subdivisions.

(Source: P.A. 91-472, eff. 8-10-99; 92-38, eff. 6-28-01.)

Section 10. The Hotel Operators' Occupation Tax Act is amended by changing Section 6 as follows:

(35 ILCS 145/6) (from Ch. 120, par. 481b.36)

Sec. 6. Except as provided hereinafter in this Section, on or before the last day of each calendar month, every person engaged in the business of renting, leasing or letting rooms in a hotel in this State during the preceding calendar month shall file a return with the Department, stating:

1. The name of the operator;

2. His residence address and the address of his principal place of business and the address of the principal place of business (if that is a different address) from which he engages in the business of renting, leasing or letting rooms in a hotel in this State;

3. Total amount of rental receipts received by him during the preceding calendar month from renting, leasing or letting rooms during such preceding calendar month;

4. Total amount of rental receipts received by him during the preceding calendar month from renting, leasing or letting rooms to permanent residents during such preceding calendar month;

5. Total amount of other exclusions from gross rental receipts allowed by this Act;

6. Gross rental receipts which were received by him during the preceding calendar month and upon the basis of which the tax is imposed;

7. The amount of tax due;

8. Such other reasonable information as the Department may require.

If the operator's average monthly tax liability to the Department does not exceed $200, the Department may authorize his returns to be filed on a quarter annual basis, with the return for January, February and March of a given year being due by April 30 of such year; with the return for April, May and June of a given year being due by July 31 of such year; with the return for July, August and September of a given year being due by October 31 of such year, and with the return for October, November and December of a given year being due by January 31 of the following year.

If the operator's average monthly tax liability to the Department does not exceed $50, the Department may authorize his returns to be filed on an annual basis, with the return for a given year being due by January 31 of the following year.

Such quarter annual and annual returns, as to form and substance, shall be subject to the same requirements as monthly returns.

Notwithstanding any other provision in this Act concerning the time within which an operator may file his return, in the case of any operator who ceases to engage in a kind of business which makes him responsible for filing returns under this Act, such operator shall file a final return under this Act with the Department not more than 1 month after discontinuing such business.

Where the same person has more than 1 business registered with the Department under separate registrations under this Act, such person shall not file each return that is due as a single return covering all such registered businesses, but shall file separate returns for each such registered business.

In his return, the operator shall determine the value of any consideration other than money received by him in connection with the renting, leasing or letting of rooms in the course of his business and he shall include such value in his return. Such determination shall be subject to review and revision by the Department in the manner hereinafter provided for the correction of returns.

Where the operator is a corporation, the return filed on behalf of such corporation shall be signed by the president, vice-president, secretary or treasurer or by the properly accredited agent of such corporation.

The person filing the return herein provided for shall, at the time of filing such return, pay to the Department the amount of tax herein imposed. The operator filing the return under this Section shall, at the time of filing such return, pay to the Department the amount of tax imposed by this Act less a discount of 2.1% or $25 per calendar year, whichever is greater, which is allowed to reimburse the operator for the expenses incurred in keeping records, preparing and filing returns, remitting the tax and supplying data to the Department on request.

There shall be deposited in the Build Illinois Fund in the State Treasury for each State fiscal year 40% of the amount of total net proceeds from the tax imposed by subsection (a) of Section 3. Of the remaining 60%, $5,000,000 shall be deposited in the Illinois Sports Facilities Fund and credited to the Subsidy Account each fiscal year by making monthly deposits in the amount of 1/8 of $5,000,000 plus cumulative deficiencies in such deposits for prior months, and an additional $8,000,000 shall be deposited in the Illinois Sports Facilities Fund and credited to the Advance Account each fiscal year by making monthly deposits in the amount of 1/8 of $8,000,000 plus any cumulative deficiencies in such deposits for prior months; provided, that for fiscal years ending after June 30, 2001, the amount to be so deposited into the Illinois Sports Facilities Fund and credited to the Advance Account each fiscal year shall be increased from $8,000,000 to the then applicable Advance Amount and the required monthly deposits beginning with July 2001 shall be in the amount of 1/8 of the then applicable Advance Amount plus any cumulative deficiencies in those deposits for prior months. (The deposits of the additional $8,000,000 or the then applicable Advance Amount, as applicable, during each fiscal year shall be treated as advances of funds to the Illinois Sports Facilities Authority for its corporate purposes to the extent paid to the Authority or its trustee and shall be repaid into the General Revenue Fund in the State Treasury by the State Treasurer on behalf of the Authority pursuant to Section 19 of the Illinois Sports Facilities Authority Act, as amended. If in any fiscal year the full amount of the then applicable Advance Amount is not repaid into the General Revenue Fund, then the deficiency shall be paid from the amount in the Local Government Distributive Fund that would otherwise be allocated to the City of Chicago under the State Revenue Sharing Act.)

For purposes of the foregoing paragraph, the term "Advance Amount" means, for fiscal year 2002,

$22,179,000, and for subsequent fiscal years through fiscal year 2032, 105.615% of the Advance Amount for the immediately preceding fiscal year, rounded up to the nearest $1,000.

Of the remaining 60% of the amount of total net proceeds from the tax imposed by subsection (a) of Section 3 after all required deposits in the Illinois Sports Facilities Fund, the amount equal to 12% ~~8%~~ of the net revenue realized from the Hotel Operators' Occupation Tax Act plus an amount equal to 12% ~~8%~~ of the net revenue realized from any tax imposed under Section 4.05 of the Chicago World's Fair-1992 Authority Act during the preceding month shall be deposited in the Local Tourism Fund each month for purposes authorized by Section 605-705 of the Department of Commerce and Economic Opportunity ~~Community Affairs~~ Law (20 ILCS 605/605-705) ~~in the Local Tourism Fund~~, and ~~beginning August 1, 1999,~~ the amount equal to 6% ~~4.5%~~ of the net revenue realized from the Hotel Operators' Occupation Tax Act during the preceding month shall be deposited into the International Tourism Fund for the purposes authorized in Section 605-707 ~~605-725~~ of the Department of Commerce and Economic Opportunity ~~Community Affairs~~ Law , and the amount equal to 1% of the amount of total net revenue realized from the tax imposed by subsection (a) of Section 3 during the preceding month must be deposited in the Local Planning Fund in the State treasury. "Net revenue realized for a month" means the revenue collected by the State under that Act during the previous month less the amount paid out during that same month as refunds to taxpayers for overpayment of liability under that Act.

After making all these deposits, all other proceeds of the tax imposed under subsection (a) of Section 3 shall be deposited in the General Revenue Fund in the State Treasury. All moneys received by the Department from the additional tax imposed under subsection (b) of Section 3 shall be deposited into the Build Illinois Fund in the State Treasury.

The Department may, upon separate written notice to a taxpayer, require the taxpayer to prepare and file with the Department on a form prescribed by the Department within not less than 60 days after receipt of the notice an annual information return for the tax year specified in the notice. Such annual return to the Department shall include a statement of gross receipts as shown by the operator's last State income tax return. If the total receipts of the business as reported in the State income tax return do not agree with the gross receipts reported to the Department for the same period, the operator shall attach to his annual information return a schedule showing a reconciliation of the 2 amounts and the reasons for the difference. The operator's annual information return to the Department shall also disclose pay roll information of the operator's business during the year covered by such return and any additional reasonable information which the Department deems would be helpful in determining the accuracy of the monthly, quarterly or annual tax returns by such operator as hereinbefore provided for in this Section.

If the annual information return required by this Section is not filed when and as required the taxpayer shall be liable for a penalty in an amount determined in accordance with Section 3-4 of the Uniform Penalty and Interest Act until such return is filed as required, the penalty to be assessed and collected in the same manner as any other penalty provided for in this Act.

The chief executive officer, proprietor, owner or highest ranking manager shall sign the annual return to certify the accuracy of the information contained therein. Any person who willfully signs the annual return containing false or inaccurate information shall be guilty of perjury and punished accordingly. The annual return form prescribed by the Department shall include a warning that the person signing the return may be liable for perjury.

The foregoing portion of this Section concerning the filing of an annual information return shall not apply to an operator who is not required to file an income tax return with the United States Government.
(Source: P.A. 92-16, eff. 6-28-01; 92-600, eff. 6-28-02; revised 10-15-03.)

Section 99. Effective date. This Act takes effect upon becoming law.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 2859. Having been reproduced, was taken up and read by title a second time.

Representative McAuliffe offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 2859 by replacing everything after the enacting clause with the following:

"Section 5. The Criminal Code of 1961 is amended by changing Section 19-2 as follows:

(720 ILCS 5/19-2) (from Ch. 38, par. 19-2)

Sec. 19-2. Possession of burglary tools.

(a) A person commits the offense of possession of burglary tools when he possesses any key, tool, instrument, device, or any explosive, suitable for use in breaking into a building, housetrailer, watercraft, aircraft, motor vehicle as defined in The Illinois Vehicle Code, railroad car, or any depository designed for the safekeeping of property, or any part thereof, with intent to enter any such place and with intent to commit therein a felony or theft. The possession of a key designed for lock bumping demonstrates intent to commit a felony or theft. For the purposes of this Section, "lock bumping" means a lock picking technique for opening a pin tumbler lock using a specially-crafted bumpkey.

(b) Sentence.

Possession of burglary tools in violation of this Section is a Class 4 felony.

(Source: P.A. 78-255.)".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

HOUSE BILL 3361. Having been reproduced, was taken up and read by title a second time.

Representative Jerry Mitchell offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 3361 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 27A-4 as follows:

(105 ILCS 5/27A-4)

Sec. 27A-4. General Provisions.

(a) The General Assembly does not intend to alter or amend the provisions of any court-ordered desegregation plan in effect for any school district. A charter school shall be subject to all federal and State laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status, or need for special education services.

(b) The total number of charter schools operating under this Article at any one time shall not exceed 60. Not more than 30 charter schools shall operate at any one time in any city having a population exceeding 500,000; not more than 15 charter schools shall operate at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located; and not more than 15 charter schools shall operate at any one time in the remainder of the State, with not more than one charter school that has been initiated by a board of education, or by an intergovernmental agreement between or among boards of education, operating at any one time in the school district where the charter school is located. The following provisions apply notwithstanding the other provisions of this subsection (b):

(1) If 14 charter schools are operating at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, then one additional charter school, which must be exclusively for truants or dropouts, may operate in a city having a population exceeding 500,000, and the limit on the number of charter schools that may operate at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000 shall be reduced to 14 if an additional charter school is established in a city having a population exceeding 500,000 under the authority of this paragraph (1).

(2) If 13 charter schools are operating at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, then 2 additional charter schools, which must be exclusively for truants or dropouts, may operate in a city having a population exceeding 500,000, and the limit on the number of charter schools that may operate at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000 shall be

reduced by the number of additional charter schools established in a city having a population exceeding 500,000 under the authority of this paragraph (2).

(3) If 12 or fewer charter schools are operating at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000, then 3 additional charter schools, which must be exclusively for truants or dropouts, may operate in a city having a population exceeding 500,000, and the limit on the number of charter schools that may operate at any one time in the counties of DuPage, Kane, Lake, McHenry, Will, and that portion of Cook County that is located outside a city having a population exceeding 500,000 shall be reduced by the number of additional charter schools established in a city having a population exceeding 500,000 under the authority of this paragraph (3).

(4) If 14 charter schools are operating at any one time in that part of the State outside of the counties of DuPage, Kane, Lake, McHenry, Will, and Cook County, then one additional charter school, which must be exclusively for truants or dropouts, may operate in a city having a population exceeding 500,000, and the limit on the number of charter schools that may operate at any one time in that part of the State outside of the counties of DuPage, Kane, Lake, McHenry, Will, and Cook County shall be reduced to 14 if an additional charter school is established in a city having a population exceeding 500,000 under the authority of this paragraph (4).

(5) If 13 or fewer charter schools are operating at any one time in that part of the State outside of the counties of DuPage, Kane, Lake, McHenry, Will, and Cook County, then 2 additional charter schools, which must be exclusively for truants or dropouts, may operate in a city having a population exceeding 500,000, and the limit on the number of charter schools that may operate at any one time in that part of the State outside of the counties of DuPage, Kane, Lake, McHenry, Will, and Cook County shall be reduced by the number of additional charter schools established in a city having a population exceeding 500,000 under the authority of this paragraph (5).

For purposes of implementing this Section, the State Board shall assign a number to each charter submission it receives under Section 27A-6 for its review and certification, based on the chronological order in which the submission is received by it. The State Board shall promptly notify local school boards when the maximum numbers of certified charter schools authorized to operate have been reached.

(c) No charter shall be granted under this Article that would convert any existing private, parochial, or non-public school to a charter school.

(d) Enrollment in a charter school shall be open to any pupil who resides within the geographic boundaries of the area served by the local school board, provided that the board of education in a city having a population exceeding 500,000 may designate attendance boundaries for no more than one-third of the charter schools permitted in the city if the board of education determines that attendance boundaries are needed to relieve overcrowding or to better serve low-income and at-risk students. Students residing within an attendance boundary may be given priority for enrollment, but must not be required to attend the charter school.

(e) Nothing in this Article shall prevent 2 or more local school boards from jointly issuing a charter to a single shared charter school, provided that all of the provisions of this Article are met as to those local school boards.

(f) No local school board shall require any employee of the school district to be employed in a charter school.

(g) No local school board shall require any pupil residing within the geographic boundary of its district to enroll in a charter school.

(h) If there are more eligible applicants for enrollment in a charter school than there are spaces available, successful applicants shall be selected by lottery. However, priority shall be given to siblings of pupils enrolled in the charter school and to pupils who were enrolled in the charter school the previous school year, unless expelled for cause, and priority may be given to pupils residing within the charter school's attendance boundary, if a boundary has been designated by the board of education in a city having a population exceeding 500,000. Dual enrollment at both a charter school and a public school or non-public school shall not be allowed. A pupil who is suspended or expelled from a charter school shall be deemed to be suspended or expelled from the public schools of the school district in which the pupil resides.

(i) (Blank).

(j) Notwithstanding any other provision of law to the contrary, a school district in a city having a population exceeding 500,000 shall not have a duty to collectively bargain with an exclusive representative of its employees over decisions to grant or deny a charter school proposal under Section 27A-8 of this Code, decisions to renew or revoke a charter under Section 27A-9 of this Code, and the impact of these

decisions, provided that nothing in this Section shall have the effect of negating, abrogating, replacing, reducing, diminishing, or limiting in any way employee rights, guarantees, or privileges granted in Sections 2, 3, 7, 8, 10, 14, and 15 of the Illinois Educational Labor Relations Act.
(Source: P.A. 92-16, eff. 6-28-01; 93-3, eff. 4-16-03; 93-861, eff. 1-1-05.)".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

HOUSE BILL 3671. Having been reproduced, was taken up and read by title a second time.
Representative Meyer offered the following amendment and moved its adoption:

AMENDMENT NO. 1. Amend House Bill 3671 as follows:
on page 1, lines 13 through 15, by deleting "The Department may engage the experts and additional resources that are reasonably necessary for implementing this process."; and
on page 2, lines 6 through 8, by deleting "The Department may engage the experts and additional resources that are reasonably necessary for implementing this process."; and
on page 4, lines 20 through 22, by deleting "The Office may engage the experts and additional resources that are reasonably necessary for implementing this process."; and
on page 5, lines 6 through 8, by deleting "The Agency and Board may engage the experts and additional resources that are reasonably necessary for implementing this process.".

The foregoing motion prevailed and Amendment No. 1 was adopted.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was advanced to the order of Third Reading.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 429.

HOUSE BILL 754. Having been reproduced, was taken up and read by title a second time.
The following amendment was offered in the Committee on Computer Technology, adopted and reproduced:

AMENDMENT NO. 1. Amend House Bill 754 by replacing everything after the enacting clause with the following:
"Section 1. Short title. This Act may be cited as the High Speed Internet Services and Information Technology Act.
Section 5. Findings. With respect to high speed Internet services and information technology, the General Assembly finds the following:
(1) The deployment and adoption of high speed Internet services and information technology has resulted in enhanced economic development and public safety for the State's communities, improved health care and educational opportunities, and a better quality of life for the State's residents.
(2) Continued progress in the deployment and adoption of high speed Internet services and information technology is vital to ensuring that this State remains competitive and continues to create business and job growth.
(3) The State must encourage and support the partnership of the public and private sectors in the continued growth of high speed Internet and Information technology for the State's residents and businesses.
(4) Local governmental entities play a role in assessing the needs of their communities with respect to high speed Internet services and information technology.
Section 10. Definitions. In this Act:

"Nonprofit organization" means an organization that (i) is a nonprofit organization as described in Section 501(c)(3) of the federal Internal Revenue Code of 1986 and exempt from tax under Section 501(a) of that Code; (ii) has no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual; and (iii) has an established competency and proven record of working with public and private sectors to accomplish wide-scale deployment and adoption of broadband and information technology in other states.

"Public-private partnership" means the Broadband Deployment Council chaired by the Lieutenant Governor pursuant to Executive Order 2005-9.

Section 15. Enlistment of a nonprofit organization.

(a) The Lieutenant Governor, with the advice of the Broadband Deployment Council, a public-private partnership established under Executive Order 2005-9, shall enlist a nonprofit corporation, as defined under Section 10 of this Act, to implement a comprehensive, statewide high speed Internet deployment strategy and adoption initiative with the purpose of:

(1) ensuring that all State residents and businesses have access to affordable and reliable high speed Internet service;

(2) achieving improved technology literacy, increased computer ownership, and home high speed Internet use among State residents and businesses;

(3) establishing and empowering local grassroots technology teams in each county to plan for improved technology use across multiple community sectors; and

(4) establishing and sustaining an environment ripe for high speed Internet access and technology investment statewide.

(b) The public-private partnership shall include input and cooperation among State and local agencies and bodies representing economic development, local community development, technology planning, education, and healthcare and other relevant public and private entities. The private entities within the partnership shall include providers of broadband services, telecommunications carriers, technology companies, telecommunications unions, community-based organizations, and other relevant private sector entities necessary to achieve the objectives of this Act.

Section 20. Duties of the nonprofit organization.

(a) The high speed Internet deployment strategy and adoption initiative to be performed by the nonprofit organization shall include, but not be limited to, the following actions:

(1) Create a geographic statewide inventory of high speed Internet service and other relevant broadband and information technology services. The inventory shall:

(A) identify geographic gaps in high speed Internet service through a method of GIS mapping of service availability and GIS analysis at the census block level; and

(B) provide a baseline assessment of statewide high speed Internet deployment in terms of percentage of households with high speed Internet availability.

(2) Track and identify, through customer interviews and surveys and other publicly available sources, statewide residential and business adoption of high speed Internet, computers, and related information technology and any barriers to adoption.

(3) Build and facilitate in each county or designated region a local technology planning team with members representing a cross section of the community, including, but not limited to, representatives of business, K-12 education, health care, libraries, higher education, community-based organizations, local government, tourism, parks and recreation, and agriculture. Each team shall benchmark technology use across relevant community sectors, set goals for improved technology use within each sector, and develop a tactical business plan for achieving its goals, with specific recommendations for online application development and demand creation.

(4) Work collaboratively with high speed Internet providers and technology companies across the State to encourage deployment and use, especially in underserved areas, through the use of local demand aggregation, mapping analysis, and the creation of market intelligence to improve the business case for providers to deploy.

(5) Establish programs to improve computer ownership and Internet access for disenfranchised populations across the State.

(b) The nonprofit organization may apply for federal grants consistent with the objectives of this Act.

(c) The Lieutenant Governor shall use the funds in the High Speed Internet Services and Information Technology Fund to provide grants to the nonprofit organization enlisted under this Act.

(d) The nonprofit organization shall be organized under, be subject to, and have all the powers and duties of a non-for-profit corporation under the General Not for Profit Corporation Act of 1986, including the

power to obtain or to raise funds other than the grants that the nonprofit organization receives from the Lieutenant Governor under this Act.

(e) The nonprofit organization and its Board of Directors shall exist separately and independently from the Office of the Lieutenant Governor and any other governmental entity, but shall work cooperatively with the Office of the Lieutenant Governor, the public-private partnership, and other public or private entities that it deems appropriate in carrying out its duties.

(f) Any information provided to the nonprofit organization or any other entity pursuant to this Act shall, if designated by the entity providing the information, be deemed confidential, proprietary, and a trade secret and be treated as such.

Section 25. Scope of authority. Nothing in this Act shall be construed as giving the Lieutenant Governor, the Broadband Development Council, the nonprofit organization, or other entities any additional authority, regulatory or otherwise, over providers of telecommunications, broadband, and information technology.

Section 30. High Speed Internet Services and Information Technology Fund.

(a) There is created in the State treasury a special fund to be known as the High Speed Internet Services and Information Technology Fund, to be used, subject to appropriation, by the Lieutenant Governor for purposes of providing grants to the nonprofit organization enlisted under this Act.

(b) On June 30, 2007, all moneys in the Digital Divide Elimination Infrastructure Fund which have not already been distributed or ordered distributed by the Illinois Commerce Commission shall be transferred to the High Speed Internet Services and Information Technology Fund. Nothing contained in this subsection (b) shall affect the validity of grants issued under this Act before June 30, 2007.

Section 35. Repealer. This Act is repealed on January 1, 2012.

Section 90. The State Finance Act is amended by adding Section 5.675 as follows:

(30 ILCS 105/5.675 new)

Sec. 5.675. The High Speed Internet Services and Information Technology Fund.

Section 99. Effective date. This Act takes effect upon becoming law.".

Floor Amendment No. 2 remained in the Committee on Rules.

There being no further amendments, the foregoing Amendment No. 1 was ordered engrossed; and the bill, as amended, was held on the order of Second Reading.

Having been reproduced, the following bill was taken up, read by title a second time and held on the order of Second Reading: HOUSE BILL 1747.

ACTION ON MOTIONS

Representative Howard asked and obtained unanimous consent to table HOUSE BILL 2184.

The motion prevailed.

At the hour of 8:32 o'clock p.m., Representative Currie moved that the House do now adjourn until Friday, April 27, 2007, at 9:30 o'clock a.m.

The motion prevailed.

And the House stood adjourned.

NO. 1

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
QUORUM ROLL CALL FOR ATTENDANCE

April 26, 2007

0 YEAS 0 NAYS 117 PRESENT

P Acevedo	P Dugan	P Krause	P Reboletti
P Arroyo	P Dunkin	P Lang	P Reis
P Bassi	P Dunn	P Leitch	P Reitz
P Beaubien	P Durkin	P Lindner	P Riley
P Beiser	P Eddy	P Lyons	P Rita
P Bellock	P Feigenholtz	P Mathias	P Rose
P Berrios	P Flider	P Mautino	P Ryg
P Biggins	P Flowers	P May	P Sacia
P Black	P Ford	P McAuliffe	P Saviano
P Boland	P Fortner	P McCarthy	P Schmitz
P Bost	P Franks	P McGuire	P Schock
P Bradley, John	P Fritchey	P Mendoza	P Scully
P Bradley, Richard	P Froehlich	P Meyer	P Smith
P Brady	P Golar	P Miller	P Sommer
P Brauer	P Gordon	P Mitchell, Bill	P Soto
P Brosnahan	P Graham	P Mitchell, Jerry	P Stephens
P Burke	P Granberg	P Moffitt	P Sullivan
P Chapa LaVia	P Hamos	P Molaro	P Tracy
P Coladipietro	P Hannig	P Mulligan	P Tryon
P Cole	P Harris	P Munson	P Turner
P Collins	P Hassert	P Myers	P Verschoore
P Colvin	P Hernandez	P Nekritz	P Wait
P Coulson	P Hoffman	P Osmond	P Washington
P Crespo	P Holbrook	P Osterman	P Watson
P Cross	P Howard	E Patterson	P Winters
P Cultra	P Jakobsson	P Phelps	P Yarbrough
P Currie	P Jefferies	P Pihos	P Younge
P D'Amico	P Jefferson	P Poe	P Mr. Speaker
P Davis, Monique	P Joyce	P Pritchard	
P Davis, William	P Kosel (ADDED)	P Ramey	

E - Denotes Excused Absence

NO. 2

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1319
TITLE INSURANCE
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 3

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3218
BUSINESS-TECH
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 4

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 472
TIF EXTEND-WEST CHICAGO
THIRD READING
PASSED

April 26, 2007

114 YEAS 2 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 5

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 656
VEH CD-DISMISS EQUIP CHARGE
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 6

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3666
RENEWABLE FUEL GRANTS
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 7

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2036
TIF EXTEND-VILLA GROVE
THIRD READING
PASSED

April 26, 2007

114 YEAS 2 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 8

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1406
PROFESSIONS-AUCTIONEERS
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 9

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1878
HOMELESS BILL OF RIGHTS-NEW
THIRD READING
PASSED

April 26, 2007

77 YEAS 38 NAYS 1 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
N Bassi	N Dunn	N Leitch	Y Reitz
N Beaubien	P Durkin	Y Lindner	Y Riley
N Beiser	N Eddy	Y Lyons	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	N McAuliffe	N Saviano
Y Boland	N Fortner	Y McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	N Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
N Brady	Y Golar	Y Miller	N Sommer
N Brauer	Y Gordon	N Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	N Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	N Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	N Hassert	N Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	N Holbrook	Y Osterman	N Watson
N Cross	Y Howard	E Patterson	N Winters
N Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	N Ramey	

E - Denotes Excused Absence

NO. 10

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 699
STORMWATER MANAGEMENT-PEORIA
THIRD READING
PASSED

April 26, 2007

104 YEAS 12 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	N May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	N Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	N Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 11

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1875
VEHICLE CODE-ELECTRIC VEHICLES
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 12

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2307
LOCAL GOVERNMENT-TECH
THIRD READING
PASSED

April 26, 2007

114 YEAS 2 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 13

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1231
PENCD-CHIC TCHR-HEALTH INS MAX
THIRD READING
PASSED

April 26, 2007

63 YEAS 52 NAYS 1 PRESENT

Y Acevedo	N Dugan	Y Krause	N Reboletti
Y Arroyo	N Dunkin	Y Lang	N Reis
N Bassi	N Dunn	N Leitch	Y Reitz
N Beaubien	N Durkin	N Lindner	Y Riley
N Beiser	Y Eddy	Y Lyons	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	Y Ryg
N Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	N Fortner	Y McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	N Schock
Y Bradley, John	Y Fritchey	N Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	N Meyer	N Smith
N Brady	Y Golar	Y Miller	N Sommer
N Brauer	N Gordon	N Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	Y Moffitt	N Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
N Coladipietro	Y Hannig	Y Mulligan	N Tryon
N Cole	Y Harris	N Munson	N Turner
Y Collins	N Hassert	N Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	N Holbrook	Y Osterman	N Watson
N Cross	Y Howard	E Patterson	N Winters
N Cultra	Y Jakobsson	N Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	N Jefferson	N Poe	Y Mr. Speaker
P Davis, Monique	Y Joyce	N Pritchard	
Y Davis, William	E Kosel	N Ramey	

E - Denotes Excused Absence

NO. 14

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2179
VETERANS-TECH
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 15

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3091
LOCAL GOVERNMENT-TECH
THIRD READING
PASSED

April 26, 2007

81 YEAS 35 NAYS 0 PRESENT

Y Acevedo	N Dugan	Y Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
N Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
N Boland	Y Fortner	Y McCarthy	N Schmitz
Y Bost	N Franks	Y McGuire	N Schock
N Bradley, John	N Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	N Smith
Y Brady	Y Golar	N Miller	N Sommer
N Brauer	Y Gordon	N Mitchell, Bill	Y Soto
N Brosnahan	Y Graham	Y Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
N Cole	Y Harris	N Munson	Y Turner
Y Collins	Y Hassert	Y Myers	N Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	Y Osmond	Y Washington
N Crespo	N Holbrook	Y Osterman	N Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	N Jakobsson	N Phelps	Y Yarbrough
Y Currie	N Jefferies	Y Pihos	Y Younge
N D'Amico	N Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	N Joyce	N Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 16

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1662
CHILDREN SAVINGS ACCOUNT ACT
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 17

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 232
SCH CD-PROHIBIT VIRTUAL SCH/CL
THIRD READING
PASSED

April 26, 2007

112 YEAS 4 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	N Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	N Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 18

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3165
EMPLOYMENT-TECH
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 19

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 2044
VEH CD-DISABLED VET-SR CITIZEN
THIRD READING
PASSED

April 26, 2007

116 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	E Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 20

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3728
PRIV SEWAGE/EPA-SRFCE DSCHRG
THIRD READING
PASSED
VERIFIED

April 26, 2007

67 YEAS 48 NAYS 0 PRESENT

Y Acevedo	N Dugan	N Krause	Y Reboletti
N Arroyo	N Dunkin	Y Lang	N Reis
Y Bassi	N Dunn	N Leitch	N Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
N Beiser	N Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	Y Mautino	Y Ryg
N Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	N Schock
N Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	N Smith
N Brady	N Golar	Y Miller	N Sommer
N Brauer	N Gordon	N Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	N Sullivan
N Chapa LaVia	Y Hamos	Y Molaro	N Tracy
Y Coladipietro	N Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	N Myers	A Verschoore
Y Colvin	N Hernandez	Y Nekritz	N Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
N Crespo	Y Holbrook	Y Osterman	N Watson
Y Cross	Y Howard	E Patterson	Y Winters
N Cultra	N Jakobsson	N Phelps	Y Yarbrough
Y Currie	N Jefferies	Y Pihos	Y Younge
N D'Amico	N Jefferson	N Poe	Y Mr. Speaker
N Davis, Monique	Y Joyce	N Pritchard	
Y Davis, William	E Kosel	N Ramey	

E - Denotes Excused Absence

NO. 21

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 317
ADOLESCENT HEALTH CARE SAFETY
THIRD READING
FAILED

April 26, 2007

55 YEAS 62 NAYS 0 PRESENT

Y Acevedo	N Dugan	Y Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
Y Bassi	N Dunn	N Leitch	N Reitz
Y Beaubien	N Durkin	Y Lindner	Y Riley
N Beiser	N Eddy	N Lyons	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	N Flider	N Mautino	Y Ryg
N Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	N McAuliffe	N Saviano
Y Boland	N Fortner	N McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	N Schock
N Bradley, John	Y Fritchey	Y Mendoza	N Scully
Y Bradley, Richard	N Froehlich	N Meyer	Y Smith
N Brady	N Golar	Y Miller	N Sommer
N Brauer	N Gordon	N Mitchell, Bill	Y Soto
N Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
Y Burke	N Granberg	N Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	N Molaro	N Tracy
N Coladipietro	N Hannig	Y Mulligan	N Tryon
Y Cole	Y Harris	N Munson	Y Turner
Y Collins	Y Hassert	N Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
Y Coulson	N Hoffman	N Osmond	Y Washington
Y Crespo	N Holbrook	Y Osterman	N Watson
Y Cross	Y Howard	E Patterson	N Winters
N Cultra	Y Jakobsson	N Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
N D'Amico	N Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	N Joyce	N Pritchard	
Y Davis, William	N Kosel	N Ramey	

E - Denotes Excused Absence

NO. 22

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1346
CIRCUIT CTS-ADD KENDALL JUDGE
THIRD READING
PASSED

April 26, 2007

117 YEAS 0 NAYS 0 PRESENT

Y Acevedo	Y Dugan	Y Krause	Y Reboletti
Y Arroyo	Y Dunkin	Y Lang	Y Reis
Y Bassi	Y Dunn	Y Leitch	Y Reitz
Y Beaubien	Y Durkin	Y Lindner	Y Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	Y Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	Y Sacia
Y Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	Y Schmitz
Y Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	Y Meyer	Y Smith
Y Brady	Y Golar	Y Miller	Y Sommer
Y Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	Y Stephens
Y Burke	Y Granberg	Y Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	Y Tracy
Y Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	Y Myers	Y Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	Y Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	Y Watson
Y Cross	Y Howard	E Patterson	Y Winters
Y Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	Y Pihos	Y Younge
Y D'Amico	Y Jefferson	Y Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	Y Pritchard	
Y Davis, William	Y Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 23

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 3434
DEPT REV-STUDY-TIF & TAX BILLS
THIRD READING
PASSED

April 26, 2007

70 YEAS 46 NAYS 0 PRESENT

Y Acevedo	N Dugan	N Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
N Bassi	N Dunn	N Leitch	N Reitz
Y Beaubien	N Durkin	N Lindner	Y Riley
N Beiser	N Eddy	Y Lyons	Y Rita
Y Bellock	Y Feigenholtz	N Mathias	N Rose
Y Berrios	N Flider	Y Mautino	Y Ryg
Y Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	Y McAuliffe	Y Saviano
Y Boland	N Fortner	Y McCarthy	A Schmitz
N Bost	Y Franks	Y McGuire	N Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	N Meyer	N Smith
N Brady	Y Golar	Y Miller	N Sommer
N Brauer	Y Gordon	N Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	Y Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	N Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
N Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	Y Munson	Y Turner
Y Collins	Y Hassert	N Myers	N Verschoore
Y Colvin	Y Hernandez	Y Nekritz	N Wait
N Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	N Holbrook	Y Osterman	N Watson
Y Cross	Y Howard	E Patterson	N Winters
N Cultra	Y Jakobsson	N Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	Y Joyce	N Pritchard	
Y Davis, William	N Kosel	N Ramey	

E - Denotes Excused Absence

NO. 24

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1434
HARPER COLLEGE-BACHELOR DEGREE
THIRD READINS
PASSED

April 26, 2007

69 YEAS 48 NAYS 0 PRESENT

Y Acevedo	Y Dugan	N Krause	N Reboletti
Y Arroyo	Y Dunkin	Y Lang	N Reis
Y Bassi	N Dunn	N Leitch	Y Reitz
Y Beaubien	N Durkin	N Lindner	N Riley
Y Beiser	Y Eddy	Y Lyons	Y Rita
N Bellock	Y Feigenholtz	Y Mathias	N Rose
Y Berrios	Y Flider	N Mautino	N Ryg
N Biggins	Y Flowers	N May	Y Sacia
Y Black	Y Ford	N McAuliffe	Y Saviano
Y Boland	N Fortner	N McCarthy	N Schmitz
N Bost	N Franks	N McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	Y Froehlich	N Meyer	Y Smith
Y Brady	Y Golar	N Miller	N Sommer
Y Brauer	Y Gordon	N Mitchell, Bill	Y Soto
N Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	Y Sullivan
Y Chapa LaVia	Y Hamos	Y Molaro	N Tracy
N Coladipietro	Y Hannig	Y Mulligan	N Tryon
N Cole	Y Harris	N Munson	Y Turner
N Collins	N Hassert	N Myers	N Verschoore
Y Colvin	Y Hernandez	Y Nekritz	Y Wait
N Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	Y Holbrook	Y Osterman	N Watson
N Cross	Y Howard	E Patterson	Y Winters
Y Cultra	N Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	N Poe	Y Mr. Speaker
Y Davis, Monique	N Joyce	N Pritchard	
Y Davis, William	N Kosel	Y Ramey	

E - Denotes Excused Absence

NO. 25

STATE OF ILLINOIS
NINETY-FIFTH
GENERAL ASSEMBLY
HOUSE ROLL CALL
HOUSE BILL 1958
CONSUMER FRAUD-WIRELESS PHONE
THIRD READING
PASSED

April 26, 2007

72 YEAS 43 NAYS 2 PRESENT

P Acevedo	Y Dugan	N Krause	Y Reboletti
Y Arroyo	N Dunkin	Y Lang	N Reis
N Bassi	Y Dunn	Y Leitch	Y Reitz
N Beaubien	N Durkin	N Lindner	Y Riley
Y Beiser	N Eddy	Y Lyons	Y Rita
N Bellock	Y Feigenholtz	N Mathias	Y Rose
Y Berrios	Y Flider	Y Mautino	Y Ryg
N Biggins	Y Flowers	Y May	N Sacia
N Black	Y Ford	N McAuliffe	Y Saviano
Y Boland	Y Fortner	Y McCarthy	N Schmitz
N Bost	Y Franks	Y McGuire	Y Schock
Y Bradley, John	Y Fritchey	Y Mendoza	Y Scully
Y Bradley, Richard	N Froehlich	Y Meyer	Y Smith
N Brady	Y Golar	Y Miller	Y Sommer
N Brauer	Y Gordon	Y Mitchell, Bill	Y Soto
Y Brosnahan	Y Graham	N Mitchell, Jerry	N Stephens
Y Burke	Y Granberg	N Moffitt	N Sullivan
Y Chapa LaVia	Y Hamos	N Molaro	N Tracy
N Coladipietro	Y Hannig	Y Mulligan	Y Tryon
Y Cole	Y Harris	N Munson	Y Turner
N Collins	N Hassert	N Myers	Y Verschoore
N Colvin	Y Hernandez	Y Nekritz	Y Wait
Y Coulson	Y Hoffman	N Osmond	Y Washington
Y Crespo	N Holbrook	Y Osterman	N Watson
N Cross	Y Howard	E Patterson	N Winters
N Cultra	Y Jakobsson	Y Phelps	Y Yarbrough
Y Currie	Y Jefferies	N Pihos	Y Younge
Y D'Amico	Y Jefferson	N Poe	Y Mr. Speaker
N Davis, Monique	Y Joyce	N Pritchard	
P Davis, William	N Kosel	N Ramey	

E - Denotes Excused Absence